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BLIND RELIEF LAWS THEIR THEORY AND PRACTICE

BY

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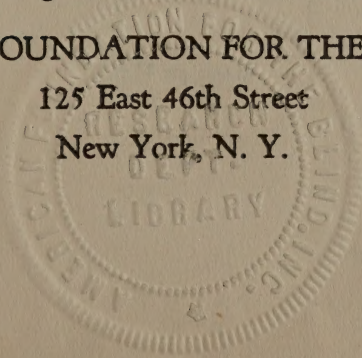
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NOTE.—The reader who lacks time to read this discussion in full, will find the principal conclusions summarized on pages 7 to 9, inclusive, and a tabular summary of blind relief legislation, by states, in Appendix C, on page 128.

CONTENTS

	PAGE
SUMMARY	7
PART I. PRINCIPLES OF BLIND RELIEF LEGISLATION.....	11
WHY A SPECIAL BLIND RELIEF LAW?.....	12
FUNDAMENTAL PRINCIPLES WHICH SHOULD UNDERLIE BLIND RELIEF LEGISLATION	15
WHICH GOVERNMENTAL UNIT SHALL PAY THE RELIEF?.....	15
County-paid Relief	16
State-paid Relief	17
Investigation by Local Officials— <i>The Maine Plan</i>	18
Investigation by State Agents— <i>The Massachusetts and Connecticut Plan</i>	18
Combined County and State-paid Relief— <i>The Colorado Plan</i>	19
County Relief with State Co-operation— <i>The New York and The New Jersey Plans</i>	20
WHO SHALL RECEIVE RELIEF?.....	21
Definition of Blindness.....	22
Definition of Need.....	23
Residential Qualifications	24
Charge against County of Previous Residence.....	25
Disqualifying Factors	26
Vicious Habits	26
Mendicancy	26
Prior Infirmities	27
AMOUNT OF RELIEF	28
PROCEDURE IN ADMINISTRATION OF BLIND RELIEF.....	29
Investigation of Qualifications	29
Medical Examiner.....	30
Annual Re-investigation	31
Method of Payment of Relief.....	32
Prompt action desirable.....	32
Frequent payments preferable.....	32
Cash payments most acceptable.....	33
Power of attorney.....	33
Appointment of trustee.....	34
Payment in advance.....	34
Payment of relief as entrance fee to home.....	35
Constructive Use of Relief Money.....	36

	PAGE
OTHER CONSIDERATIONS IN DRAFTING A BLIND RELIEF LAW.....	36
Recipient Not Deemed a Pauper.....	36
Special Levy.....	36
Payment of Relief Compulsory.....	37
Constitutionality	38
CONCLUSION	38
 <i>PART II. HISTORY AND TEXTS OF LAWS OF INDIVIDUAL STATES.....</i>	 41
CALIFORNIA	41
COLORADO	43
CONNECTICUT	50
IDAHO	50
ILLINOIS	52
IOWA	58
KANSAS	63
KENTUCKY	65
LOUISIANA	67
MAINE	67
MASSACHUSETTS	75
MINNESOTA	76
MISSOURI	77
NEBRASKA	86
NEVADA	87
NEW HAMPSHIRE	89
NEW JERSEY	92
NEW YORK	98
CITY OF NEW YORK.....	104
OHIO	106
ORIGIN OF LAW.....	106
CONSTITUTIONALITY	108
HISTORY AND ADMINISTRATION.....	112
TEXT OF LAW.....	114
WISCONSIN	117
 <i>PART III. APPENDICES</i>	 125
APPENDIX A—TABULATION SHOWING EXPENDITURES FOR BLIND RELIEF, BY STATES.....	125
APPENDIX B—SAMPLE FORM FOR APPLICATION FOR RELIEF.....	126
APPENDIX C—SUMMARY TABLE OF BLIND RELIEF LAWS.....	128

SUMMARY

The argument for a special blind relief is based upon the contention that *blindness itself is a sufficiently well-defined cause of poverty to require special treatment at the hands of the state.* Most of the differences of opinion among the advocates of a special blind relief are due to differences in theory as to the degree of responsibility of the state for the comfort of the individual. The argument against a blind relief is that since the cases of poverty in which blindness exists are complex in nature, lack of sight being only a contributing cause, aid should be afforded through the usual poor-relief channels. Advocates of a special blind relief, on the other hand, maintain that while other infirmities contribute to the dependency of such persons, it is their blindness which has so complicated the situation that outside aid is required. Charity organizations have frequently failed to recognize this, and many a self-respecting blind person has been submitted to what he felt to be a humiliating investigation when he applied for assistance.

State after state has revolted against the system of dealing with this special form of poverty through the usual relief-giving agencies, and twenty states have enacted laws drafted in an effort to extend aid to the needy blind without subjecting them to such humiliation. Unfortunately many of these laws have been drafted clumsily and have failed to protect either the tax-payers or the blind. The main purposes of this monograph are (1) to set forth the fundamental principles which should be observed in drafting a blind relief law, and (2) to supply information regarding the experience of various states in the development of blind relief. It is believed that this information will interest students of the subject, especially those who are drafting new blind relief laws.

The first fundamental of such a law is that it should *designate the governmental unit which is to pay the aid.* County-paid relief in the hands of county officials is economical in administration but often lacks wisdom and uniformity in the application of the law. Experience in several states makes it seem questionable whether county blind relief should ever be undertaken unless provision is made for the active co-operation of a state department for the blind in its administration. State-paid relief, administered by state agents, provides the desired uniformity and wis-

dom, but is in many cases hampered by the "appropriation resistance" in state legislatures. The most satisfactory plans seem to be those in which the investigations and recommendations are made by state agents, while final approval of these recommendations is in the hands of county officials who also make the appropriations from which relief payments are made.

The second requisite of such a law is that it should *define clearly who shall receive the relief*. In determining this, three general qualifications are usually prescribed: first, the recipient shall be blind; second, he shall be needy; third, he shall be a resident of the district affording such relief. There are various definitions of blindness in use but the most common is some variation of the following: "A defect of vision which incapacitates the person to earn the necessities of life."

In defining need, several states have arbitrarily established a minimum annual income below which a person is considered "needy." Since such a provision makes no allowance for possible dependents of the blind recipient or for variations in standard of living, it obviously works great injustice in many cases. The definition of need as the "inability to provide oneself with the necessities of life" gives to the law the flexibility an intelligent administration requires.

Residence qualifications should be sufficiently rigid to act as a barrier against dependent blind persons who may move into a state in order to take advantage of the blind relief. At the same time it is necessary to guard against regulations which may work a hardship on those who lose their sight while living in the state, and on blind persons who move into the state for good reasons having nothing to do with relief laws. A provision requiring that a person must have lost his sight in the state, or must have been a resident of the state at the passage of the blind relief act, or must have been a resident of the state for at least five years (or more) prior to making application for relief, would seem to cover these points satisfactorily.

Many laws set up conditions which disqualify certain classes of blind people from receiving benefits under their provisions. For instance, the laws of several states exclude mendicants from receiving this form of aid. These clauses have usually been in-

corporated at the request of associations of blind people. Sightless persons suffering from other physical or mental infirmities which in themselves incapacitate such persons for self-support have been excluded from blind relief, since blindness is not the primary cause of their need. Persons of vicious habits are disqualified for receiving relief in some states, as are dependent blind persons who take blind husbands or wives.

The third essential of blind relief legislation is that it shall *throw necessary safeguards about the administration of such relief* in order to protect both the taxpayers and the blind. In some states the amount of relief to be paid to a qualified recipient is specified in the law, while in others the amount is left to the discretion of the administrators within the limit of a specified maximum. The maximum amounts specified in various states range from \$150 to \$600 a year. From the standpoint of satisfactory administration, a flexibility in the law, sufficient to permit adjustment of the amount of the grant to fit the applicant's needs, is preferable to a flat rate. The amount granted should be just sufficient, taken with other sources of income, to insure to the recipient the necessities of life but not so large as to discourage industry.

A fourth requisite of a blind relief law is that it *provide specific administrative procedure*, including (1) prompt action on applications; (2) an investigation of the applicant's economic circumstances by an experienced worker; (3) an examination of the eye condition by a competent physician; and (4) a periodic check-up upon the recipient's condition with adjustment of grants from time to time.

These and other points to be considered in the drafting and administration of blind relief laws are discussed in greater detail in the following pages. They are summarized here for the benefit of those who may not have time to read the entire discussion but wish to know the principal issues to be considered in blind relief legislation. The reader's attention is called also to the second part of the monograph, in which are to be found historical sketches of the experience of the various states with blind relief administration, together with the texts of their respective laws, revised to July 15, 1928. The appendices present in summary form, for reference purposes, some of the salient matters discussed elsewhere.

PART I.—PRINCIPLES OF
BLIND RELIEF LEGISLATION

PRINCIPLES OF BLIND RELIEF LEGISLATION

The attempt to meet the needs of the indigent blind by paying them a direct monetary aid from the public treasury, as is done in several states, presents one of the most perplexing problems in modern poor-relief administration. This aid, which is usually in the form of quarterly cash payments, is granted to blind persons who can prove to the satisfaction of the state or county officials that they come within the definition of "needy blind persons" as set forth in the blind relief law. Such a grant is popularly known as a "pension." The term probably grew out of its analogy to the quarterly pensions allowed to ex-soldiers. Strictly speaking, however, a pension is paid in recognition of past services; whereas the so-called "blind pensions," authorized by certain states and counties in various parts of this country, are actually a specialized kind of poor relief and are usually so termed in the statutes.

Nineteen states now have special blind relief laws and a twentieth provides a "pension" for disabled persons, including those without sight. In several other states, friends of the blind are agitating for the passage of blind relief laws.

The existing statutes give internal evidence of the influence of one state upon another. When New Hampshire enacted a blind relief law, the legislators copied almost verbatim the law then on the statute books of Ohio. The acts of Illinois, Wisconsin, Iowa and Nebraska are closely similar in many respects. Unfortunately, when one state has copied the law of another, there has been little discrimination between desirable and undesirable features. Provisions in a state law which the blind have been striving for years to have changed are incorporated in the new law of another state without any recognition of the objections to them.

Although millions of dollars are spent each year for blind relief and the methods by which these funds are administered

12 PRINCIPLES OF BLIND RELIEF LEGISLATION

meet with general adverse criticism, very little literature on the subject is available.

The general public, and the state and county officials as well as the blind themselves, are usually in favor of some form of special blind relief legislation. Workers for the blind, however, are seldom enthusiastic regarding the blind relief law of their state and most other social workers are outspoken in their disapproval of their local law and skeptical as to the advisability of *any* special relief law. In many states the original blind relief legislation was obtained only after a more or less bitter fight in which the educators of the blind and some of the workers for the blind were tacitly or actively lined up with those opposing the relief provision. These old controversies left their scars, which in some cases have not yet disappeared.

In many of the states blind relief laws are badly administered. In nearly every state the blind population is dissatisfied with the operation of the local relief law. Accusations of injustice and niggardliness are quite prevalent; while, on the other hand, social workers in some places complain of the prodigality and loose methods with which these funds are dispensed. The administration, however, is about what the community demands. The good-natured American public has generally given hearty approval to the enactment of laws which will grant the blind a monetary relief. Just what this money shall relieve is not very clear. Sometimes it is poverty, and sometimes in the minds of the laymen the payment is regarded as compensation for loss of sight; but the same people who have cheerfully approved a blind relief law frequently complain vociferously of extravagance in public office, and as an abstract proposition support the official who can make a showing of economy.

WHY A SPECIAL BLIND RELIEF LAW?

The argument for a special blind relief law is based upon the contention that *blindness itself is a sufficiently well-defined cause of poverty to require special treatment at the hands of the state*. Most of the differences of opinion among the advocates of special blind relief are due to differences in theory as to the degree of responsibility of the state for the comfort of the indi-

vidual. The more conservative advocates of blind relief hold that the state has met its obligation when it insures the blind against actual want of the necessities of life. The more extreme advocates contend that the state should see to it that the blind do not, because of their handicap, lack the comforts of life enjoyed by the average sighted individual with the same native ability and training.

The arguments against a special blind relief are that the extreme cases of poverty in which blindness exists are usually complex in nature, and that lack of sight is but a contributing cause. Even where blindness may be the determining factor, aid, it is held, may be afforded through the usual poor-relief channels. In the less extreme cases, it is contended that in actual practice direct monetary relief does not solve the problem. It is argued that in cases where actual want does not exist, the state should merely afford adequate training and opportunity for remunerative employment. It is pointed out that direct monetary grants for which no return in service is required tend to demoralize the recipient. Furthermore, it is urged that it is practically impossible to determine the amount of monetary aid required to offset the handicap of blindness, since there is no point short of actual opulence where blindness does not impose limitations and cause inconveniences which might be obviated if the individual enjoyed sufficient income to hire sight whenever needed.

In order to get to the bottom of this problem, we must analyze the situation of the blind population of the average community. The 1920 census showed that about thirty-six per cent of the blind lose their sight under the age of twenty; another thirty-one per cent, between twenty and fifty-five; while the remaining thirty-three per cent lose their sight after fifty-five years of age.

Many of those under the age of twenty can be so trained that under favorable conditions they may become partially or wholly self-supporting. Of those who lose their sight between the ages of twenty and fifty-five, a considerable number may be re-educated and with proper assistance re-instated in industry where they can earn a living wage. Of those over the age of fifty-five, only a very small proportion can be placed in a position to earn their entire support.

14 *PRINCIPLES OF BLIND RELIEF LEGISLATION*

Of the total number of blind, then, a fairly large group may become self-supporting, given favorable industrial conditions and a community awakened to its social responsibilities. Another group will be willingly cared for by relatives. Of the remainder, some will, in spite of blindness and other handicaps, physical or mental, contrive to earn a part of their support; these are persons who if they could see would probably be able to exist without financial help. The rest will be entirely dependent on their families, which although they may be able to give some assistance, find the entire support of a blind relative a real burden. The result in these cases is friction and unhappiness.

The two latter groups present a very complex problem of relief. While other infirmities contribute to the dependency of such persons, it is their blindness which has so complicated the situation that outside aid is required. Charity organizations, and overseers of the poor, however, have frequently failed to recognize this and many a self-respecting blind person has been submitted to what he felt to be a humiliating investigation when he applied for relief.

State after state has revolted against the system of dealing with this special form of poverty through the usual channels. Nineteen states have passed laws drafted in an effort to extend aid to the needy blind without subjecting them to the humiliation so often attendant upon the reception of charity. Unfortunately many of these laws have been drafted clumsily. They have frequently placed the distribution of funds in the hands of officials unaccustomed to relief work; in an effort to simplify the process of obtaining aid, they have usually failed to protect the taxpayer against subterfuge and imposition; and on the whole, they have not guaranteed to the blind that intelligent administration of the available funds which is so necessary to the promotion of their best interests.

The main purpose of this pamphlet is to set forth the fundamental principles which should be observed in drafting a law designed to furnish public relief to needy blind persons.

FUNDAMENTAL PRINCIPLES WHICH SHOULD
UNDERLIE BLIND RELIEF LEGISLATION

It is far easier to incorporate into an original blind relief law the necessary provisions for its adequate administration than so to amend a poorly drafted law after it has once been placed upon the statute books. The indigent blind have suffered so much at the hands of unwise charity-organization agents that they are fearful of provisions designed to insure proper investigation into the merits of applicants. When we add to this well-grounded, honest fear the anxiety of certain undeserving recipients, who suspect that a thorough-going investigation of their situation would result in their removal from the blind relief list, we have a combination of interests which makes it easy to organize a substantial section of the blind population in opposition to such amendments to the relief law as are based upon the argument of increased effectiveness. It is, therefore, of the utmost importance that the fundamental principles which should underlie a blind relief law be seriously considered before the inauguration of such aid.

Every blind relief law should provide as follows for its effective carrying out: first, it should indicate which governmental agency is to afford aid; second, it should define who is eligible for aid; third, it should establish necessary safeguards for administration of relief in order to protect both the blind people and the taxpayers; and fourth, it should lay down the proper procedure to be followed in administering the relief.

WHICH GOVERNMENTAL UNIT SHALL PAY THE RELIEF?

There are in this country three types of governmental unit which pay blind relief. In some states the state assumes full responsibility for this expense; in others it is a county undertaking; in still others the expense is divided between the county and the state. There is also one instance—namely, the City of New York—in which a municipality has assumed this function.

In discussing the relative merits of these governmental agencies, it suffices to say that the city administration of relief seems to have the same disadvantages as county administration; these disadvantages, however, may be overcome by proper organization. Any general state-wide system must, nevertheless, take into ac-

16 PRINCIPLES OF BLIND RELIEF LEGISLATION

count territory not included in the urban centers, and city administration of relief would therefore be inadequate. This discussion will accordingly be limited to county payment plans, state payment plans, and those plans which are combinations of state and county payment.

The following factors must be taken into account in determining which type of governmental unit should pay the relief: adequacy of available funds; wisdom of administration; uniformity of administration; and lastly, economy of administration.

County-paid relief. In most states the county is the tax-collecting unit, and the aggregate area of all the counties in the state is coextensive with the area of the state. It is, therefore, natural that the disbursement of blind relief has been assigned in several states to the county governments. While this plan is likely to assure adequacy of funds, it has certain disadvantages. There is seldom a sufficient number of blind relief beneficiaries in any one county to warrant the employment of a special agent to give his entire time to the direction of this activity. The duty of distributing the relief money has, therefore, been assigned to busy officials, who have very little actual training in modern methods of alleviating poverty and who usually know absolutely nothing about the more specialized problem of affording constructive aid to the blind. They have, therefore, had to rely upon their common sense, and too frequently their decisions have been influenced by prejudice or pity.

Furthermore, such officials are seldom free from personal pressure, brought upon them in behalf of certain blind applicants. This pressure is of such a nature that it would be hard to resist even if the officials were thoroughly conversant with the best methods of caring for the blind. In the absence of exact knowledge, those who do not take refuge behind the plea of lack of funds are likely to yield to the importunities of the blind and their friends until the performance of this part of their work is apparently not governed by any fundamental principle. There has resulted a variation among counties of the same state in the interpretation of the law, in methods of investigation of applications, and in the practice of making awards, which is very confusing to the indigent blind people of the state. Blind persons

who, though neighbors, happen to live on opposite sides of a county line often feel much aggrieved by the relative treatment which they receive at the hands of their respective county authorities, and to make confusion worse confounded, a change of county officials often means a change of method in administering the relief.

Administration of relief by county officials, then, although it may have the virtue of economy, is likely to lack wisdom and uniformity. In fact, when we consider the demoralized condition of the blind relief administration in most states where it is left entirely to county management, we hesitate to recommend the establishment of county blind relief without some definite plan for participation in its administration by a state agency concerned with the blind.

State-paid relief. The unequal treatment sometimes received by the blind under county blind relief, and the general lack of uniformity in such administration, has led many to the conviction that a relief paid by the state would be more satisfactory than one paid by the county. Certainly some form of centralization would eliminate much of the present dissatisfaction growing out of blind relief administration.

The organization of the administration of a state blind relief, however, presents many problems. The extent of territory to be covered and the number of applicants to be considered usually make it necessary to provide more than one central state official. In the practical administration of a relief paid entirely from state funds, there are two courses open to the state; either to depend upon the co-operation of township, municipal and county officials in the performance of this work or to develop a special set of machinery for making investigations.

Advocates of a state-paid relief plan point out that a special force of relief agents, working under a central state office, renders efficient service provided that the number of cases assigned to each agent is not too large. Such agents are free from much of the personal influence which makes it so difficult for local officials to administer the blind relief fairly. Furthermore, the direction of a central office insures an intelligent and consistent policy in the management of funds. There are, however, two arguments which are frequently advanced by those opposed to a state-paid relief plan; namely, the "appropriation resistance" which

18 PRINCIPLES OF BLIND RELIEF LEGISLATION

is likely to be encountered in attempting to pass a lump sum appropriation through a state legislature; and the apparent extravagance of engaging additional state employees for this special work.

Investigation by local officials.—*The Maine Plan.* In Maine an attempt has been made to reduce special administrative machinery to a minimum by requiring plantation, town and city officials to co-operate with the governor and council in handling the state relief. These local officials receive applications and make most of the investigations. The reports are sent to the governor and council. A sub-committee of the council makes all awards. Quarterly warrants are then sent out to the town clerk, who sees that they are delivered to the recipients.

The practical objections to having local officials make these investigations arise out of a combination of petty politics and maudlin pity. The local official argues that his community is paying taxes to the state to grant the blind relief. If no one in his community draws it, then taxes paid into the state by this community are going for the benefit of someone in another community; and he is none too sure how strict in his investigations the official in the other community is. He, therefore, does what is most popular and submits to the state director a report which is very likely to insure the granting of the relief to the local applicant. As one local official said, there is a tendency among town clerks to submit to the state reports which may make the blind applicant's condition sound worse than it is, although all the statements may be true. Any question in the town clerk's mind as to whether or not the applicant is legally eligible is too apt to be dismissed with the comment that "every blind person ought to have the pension anyway." One clerk remarked, "The money is down there in the state treasury and the blind people ought to have it." Furthermore, the local official, be he ever so conscientious, has seldom had any training in social work and in the words of one of them, he "pries into private affairs of the applicant as little as possible."

Investigation by state agents.—*The Massachusetts and Connecticut Plan.* In certain states such as Massachusetts and Connecticut, where there are well-organized state departments for the blind, an endeavor has been made to obviate the necessity for creating a special state blind relief department, and at the same

time to insure co-operation with other activities for the blind, by granting to these departments funds to be used for relief purposes. The administration of this aid is handled without the creation of much additional machinery, and the overhead cost cannot be regarded by anyone as prohibitive. The danger inherent in this plan is that a weak administration over a period of a few years would result in a rapid expansion in the funds used for relief, with the result that they would soon reach such proportions as to throw into relative insignificance the funds used by the department for all other purposes. If this state of affairs is reached, not only will the economy of administration vanish but the attitude of mind of a relief-giving organization will be sure, sooner or later, to dominate the entire policy of the agency.

The primary function of a state department for the blind is to stimulate and help the blind to help themselves. Relief must always be administered with the greatest wisdom in order not to discourage industry. To give to an organization the dual responsibility of stimulating industry and of supplementing the return for this industry with a gratuity in the form of relief, is to impose upon it a most exacting and complicated task. Any plan by which the gratuity diminishes in direct proportion to the increase in the income derived from effort tends to promote not only idleness but deception and subterfuge whenever these are possible. Under such circumstances the confidence and friendly feeling which should exist between the blind and the staff of the state department are likely to be destroyed, and the power of the home teachers and field agents to stimulate and help their blind clients is thereby seriously impaired. To guard against this, state departments charged with the administration of blind relief funds make as clear-cut a distinction as possible between their relief-giving activities and their other work.

Combined county and state-paid relief. — The *Colorado Plan*. Colorado has attempted to obviate the weaknesses in the blind relief system of other states by dividing both the financial and administrative responsibility between the state and county governments. Applications for blind relief are made to county officials, and investigations are made by them. The State Commission makes the award, and the payments are made from the

20 PRINCIPLES OF BLIND RELIEF LEGISLATION

county funds. At the end of the year the counties are reimbursed from the State Treasury by an amount equal to one-half of that paid out for blind relief purposes. This division of the financial burden discourages in a measure the disposition to be unduly lavish with state funds and offsets the tendency, noted in Maine, on the part of local officials, to make such reports to the state department as will ensure the granting of relief to their local applicants. It does not, on the other hand, guarantee an investigation of the applicant's circumstances by an experienced social worker.

The State Commission, however, may itself examine further into the situation of the applicant for relief in case it is not satisfied with the reports submitted by the local authorities. The Commission is also charged with the responsibility of making follow-up investigations from time to time, in order to adjust the amount of relief to the changing circumstances of the recipient.

This law has been in operation too short a time to test its efficiency. It does, however, enable the Commission to bring to the local relief administration the benefits of state-wide experience, and it also tends to uniformity of treatment throughout the state. It shares, however, some of the weaknesses of relief dispensed entirely by the state, notably the "appropriation resistance" which must be overcome in the Legislature, since the amount to be expended for blind relief must be granted by this body in one lump sum.

County relief with state co-operation. There is another division of financial and administrative responsibility between state and county governments which not only ensures wise administration but avoids "appropriation resistance"—namely, county relief with state co-operation.

The New York Plan. New York State offers an interesting plan which in some respects reverses the Colorado situation, although there is no division of financial burden between the state and the county. In New York, outside New York City, applications for relief are made to the county officials, but investigations and recommendations are made by the agents of the State Commission for the Blind. Upon the basis of these recommendations county officials make the awards and pay the relief. The state, however, is under no obligation to do follow-up work in connection with the administration of this relief.

The New Jersey Plan. New Jersey has a slightly different plan from that in operation in New York. In this state, applications for relief are made to the State Commission for the Blind, and the Commission makes the investigations and recommendations. These recommendations are then referred to the Court of Common Pleas in the county in which the applicant resides, and the Judge of this Court may approve or veto them. In practice the Court has almost invariably carried out the Commission's recommendations. Payments of relief are made quarterly by the state and charged against the county of residence. The Commission is under obligation to conduct a continuous follow-up of relief recipients.

This plan ensures to the administration the advantages growing out of long experience and training with many cases, and it avoids the "appropriation resistance" by dividing the appropriation among a large number of county boards to which many of the recipients are known personally.

There are three steps in the administration of any blind relief: first, the appropriation of a fund for blind relief purposes; second, the collection and organization of information regarding individual applicants; third, the awarding of relief to individual applicants. From our study it would appear that the most satisfactory allocation of these responsibilities is first, to place the duty of making the general appropriation upon local authorities who are in a position to know personally a considerable proportion of the possible recipients; second, to assign the responsibility for the collection of information and the preparation of recommendations regarding applicants to that agency in the state which is most conversant with the needs of the blind and the means of ameliorating their condition; and third, to allot to a local authority the power to make final awards upon the basis of the information collected by state agents. These conditions seem to be met by the blind relief laws of New York and New Jersey.

WHO SHALL RECEIVE BLIND RELIEF?

In determining who should receive the relief, three general qualifications are usually prescribed: first, the recipient shall be *blind*; second, he shall be *needy*; third, he shall be a *resident* of the district affording such relief.

22 PRINCIPLES OF BLIND RELIEF LEGISLATION

Definition of blindness. There are several definitions of blindness in existing blind relief laws. Maine defines blindness as "less than one-tenth vision." In Missouri blindness is defined as "vision not greater than light perception." Nebraska defines a blind person as one "who is destitute of useful vision so as to be incapacitated for the performance of labor, rendering such person incapable of earning a support." Ohio, New Hampshire, Nevada, California and Idaho define a blind person as one who has a defect of vision incapacitating him to earn the necessities of life.*

The definition "less than one-tenth vision" has not been entirely satisfactory in Maine. The certificate of blindness is made by a general practitioner, to whom "one-tenth vision" has frequently but a vague significance. Perhaps, however, this vagueness in the one-tenth vision clause has given it its saving flexibility. The chief value of the clause is that it suggests to the examiner that something short of total blindness may make one eligible for this relief.

The Missouri definition is discussed in detail on page 80. It suffices here to point out that a definition so restricted excludes from the benefits of the law many persons who for all practical purposes are vocationally blind. The Nebraska definition is vague and involved. If strictly construed, it might exclude from the benefits of the law those persons who, in spite of their blindness, are able to perform a certain amount of labor, but whose earnings may not equal the three hundred dollars which it is the evident purpose of the law to permit them to enjoy without being disqualified for relief.

While the definition in the law of Ohio and of some other states is also somewhat vague and may result in a lack of uniformity of treatment, it is probably more workable than the Maine and Nebraska definitions. Any one familiar with a large number of blind people will testify that a certain defect of vision handicaps one person much more than it does another. This degree of handicap is the real measure of blindness when dependency is under consideration.

**Ohio's Definition of Blindness.* Any person of either sex who by reason of loss of eyesight is unable to provide himself with the necessities of life shall be considered blind.

Definition of need. Since a monetary grant obviously cannot relieve blindness, but is intended, rather, to relieve the need which is often attendant upon loss of sight, the difficult task of defining a needy blind person has devolved upon legislators of blind relief. Illinois, Wisconsin, Iowa, Nebraska and Missouri have defined a needy blind person as one having an income of less than a certain given amount per year. This income ranges from \$300 in Iowa and Nebraska to \$600 in Missouri. Such a definition of need, perhaps more than any other feature of the blind relief laws, has brought them into disrepute with the trained social worker. Owing to the fluctuation in the purchasing power of the dollar a given annual income written into a law becomes obsolete in the course of a few years. Furthermore, a maximum annual income, entitling one to the relief, does not take into account either the standard of living of the individual blind person or the obligations which he may be bound to meet. This provision has worked the greatest injustice in many cases and does not encourage thrift and industry.

Compare, for example, the two following situations: a young blind man living in idleness with relatives who make him welcome in their home but are under no legal obligation to care for him, and a man with a wife and three children who is struggling hard to keep the family together. The first man has an income of less than \$300 a year and hence receives the relief. The second man, with an income of \$400 a year, is denied the relief. Again, compare the situation of a bookkeeper who has always had weak eyes and who at fifty years of age loses his sight with that of the town loafer, who, because of dissipation and personal carelessness, becomes blind at about the same age. Neither of these men is able to adapt himself to his new situation so as to earn much of an income. The first man has been accustomed to comfortable surroundings; the second man has been satisfied with any living conditions so long as they minimized the necessity for work. The bookkeeper may have accumulated sufficient property to net him an income of slightly over \$300 a year and because of this income he cannot receive the relief. The other man, who has accumulated nothing, has an income of less than \$300 a year and is therefore entitled to receive the relief.

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24 PRINCIPLES OF BLIND RELIEF LEGISLATION

In order to meet the wide variety of cases which a satisfactory blind relief should cover, the definition of need as the inability to provide one's self with the "necessities of life" gives to the law the flexibility which an intelligent administration requires. Those in immediate charge of the distribution of such funds must determine in each case what constitutes the necessities of life to the individual under consideration. If the state, however, were to assume the responsibility for the support of all of its citizens who are unable to earn the necessities of life, a considerable part of every person's income would be required to meet his tax bill. A blind relief, like any other relief law, must take into account the claim for support which a dependent person has upon his kin within a certain degree of relationship. In one way or another, therefore, the blind relief laws of the various states restrict the distribution of aid to persons who without such assistance would become a charge upon the public or upon others not required *by law* to support them. In addition to this, blind relief laws generally exclude from their benefits all persons receiving other public aid, either in the form of outdoor relief or institutional care.

Residential qualifications. A third requisite qualification for receiving blind relief is *residence*. Residential qualifications should be sufficiently rigid to act as a barrier against dependent blind persons who might move into a state in order to obtain the peculiarly favorable advantages afforded the blind in that commonwealth. Many legislators, in an effort to protect the state against such immigration, have worded their laws in such a way as to work an injustice on innocent persons. For example, the Illinois law includes the provision that "no person who has not resided within the State of Illinois continuously for ten consecutive years, and within his respective county for three years immediately before applying for said benefit, shall be entitled to the provisions of this act." Iowa uses exactly the same language, except that the period of residence within the state has been reduced from ten to five years, and that within the county from three years to one year. It is apparent from the language of these provisions that any person losing his sight after a short period of residence in the state is as much excluded from the benefits of

the relief law as is the blind person who moves into the state in order to secure the relief.

Nebraska and Kansas copied the language of the other states, working the same hardship on newly blinded persons who had not lived in the state for five or ten years. Each state has in its turn recognized the faulty construction of the residential clause, but little effort has been made to correct it.

Most of the laws enacted in recent years, however, such as those of Minnesota, Missouri and New York, have extended the benefits of their blind relief to those who lose their sight within the state as well as to those who were living in the state at the time of the passage of the law. The Idaho law (passed in 1917) also extends the relief to those who become blind while resident in the state but adds the following clause:

In cases where the blindness ensues in this state after a period of residence less than that specified in this section (seven years), it shall be the duty of the officer hereinafter designated to authorize the granting of relief, to ascertain by sufficient evidence that the removal to this state and to the county in which relief is applied for, was not primarily for the purpose of securing relief under the provisions of this act.

This clause is interesting, but it would usually be very difficult to obtain this information.

A provision requiring that a person must "have lost his sight in the state, or must have been a resident of the state at the passage of the blind relief act, or must have been a resident of the state for at least five years or more prior to making application for the relief," would seem to be sufficient protection against undesirable immigration of this kind. It may also be pointed out that the required period of residence should be in proportion to the amount of relief allowed by the state, for a small annual grant is not likely to tempt blind immigrants to acquire a long period of residence.

Charge against county of previous residence. A further injustice has grown out of the requirement, made in most states, that a blind person live in a county from one to five years prior to making application for blind relief. Of course this is intended to prevent liberal counties from being imposed upon by persons who make quarterly visits to friends in that district, Unfortunately, however, it frequently discourages blind persons from

26 PRINCIPLES OF BLIND RELIEF LEGISLATION

moving from one county to another in order to improve their business prospects or to avail themselves of the assistance of some member of the family in whose home they might be more welcome. Wisconsin was the first state to authorize a county to grant the relief to new arrivals and to charge the amount so expended for one year against the county in which the blind person had previously lived for a year or more. Later, New York adopted a similar provision. This relieves the county of transient dependents without working an unnecessary hardship upon the blind recipient.

Disqualifying factors.—*Persons with vicious habits disqualified.* In addition to the requirements of blindness, need, and proper residential qualifications, imposed upon recipients of blind relief, certain other restrictions seem to be demanded. Throughout the country the blind have insisted that persons with vicious habits, and beggars, should be excluded from the benefits of the blind relief law.

Under some of the state laws, county authorities have little choice but to grant the relief to indigent persons, even though they may know the allowance will be wasted in the gratification of vicious habits. While blind persons who are victims of vicious habits may be unquestionably in need of relief, it is probable that in extreme cases they should be dealt with by the machinery provided in the general poor laws, rather than be paid a periodic monetary blind relief.

As a matter of fact, when the indigence is due to vicious habits rather than to the lack of sight, the blind person would not, strictly speaking, be entitled to the relief under the definition of indigence set forth in many of the blind relief laws.

Mendicants disqualified. The blind beggar has greatly complicated all efforts toward a just administration of blind relief. The impossibility of determining the income of mendicants is generally recognized. Some counties refuse to consider this source of income, and with little question place the street beggar upon the blind relief list unless income from other sources sufficient to disqualify the applicant for the special blind relief can be proved. Workers for the blind, and self-respecting blind people who are making an honest effort to support themselves, deeply resent the

presence of the blind beggar in public places. They realize that this object lesson of dependency, constantly before the public, counteracts very largely their efforts to educate sighted people to a just appreciation of the ability of the blind to support themselves if given a chance. It is for this reason that representative blind people all over the country have urged that mendicants be excluded from the benefits of the blind relief law.

This exclusion is effected in New Jersey by the following clause of the blind relief law:

No person shall be eligible to this relief while publicly soliciting alms in any part of this state. The term "publicly soliciting" shall be construed to mean the wearing, carrying or exhibiting of signs denoting blindness or the carrying of receptacles for the reception of alms, or the doing of the same by proxy, or by begging from house to house.

Minnesota, Wisconsin, Kentucky and Missouri also bar from the benefits of the blind relief those who "publicly solicit alms."

Blind persons excluded from relief because of prior infirmities. Those administering the blind relief are constantly confronted with cases of persons who undoubtedly should receive aid without the humiliation attendant upon the receipt of ordinary poor relief, but whose need is not, strictly speaking, due to blindness. Aged persons or persons hopelessly crippled, who subsequently become blind, are frequently placed upon the blind relief list in spite of the fact that they were unable to earn the necessities of life prior to loss of sight. Those in charge of the administration of blind relief admit that if there were special relief provisions for the aged or totally disabled many of the applicants now granted blind relief would be denied it. In the absence of such laws, however, they "stretch the point a bit" and give these persons the advantages of the special blind relief.

A specific provision intended to prevent such loose construction of the law is found in the New Jersey statute which reads as follows:

No person shall be eligible to the relief granted by this act who is suffering from mental or physical infirmity, which in itself, would make him or her a charge upon any other institution or agency of this State, and which has so incapacitated him or her prior to the loss of sight, that such person was a public charge prior thereto.

28 PRINCIPLES OF BLIND RELIEF LEGISLATION

AMOUNT OF RELIEF ALLOWED

Could we be assured that the administration of blind relief would be placed in the hands of skilled social workers, relieved of all undue political and personal pressure, there can be little doubt that adequacy to meet the need of the applicant should be the guide in measuring the relief to be granted. Unfortunately, blind relief is seldom administered with any such freedom or directed by any such wisdom. For this reason a safeguard should be thrown around the public treasury, with a view to protecting it from unscrupulous or unwise persons, and around the blind people, to shield them from a pauperizing influence. The maximum amount which officials are authorized by law to pay to any one blind relief applicant varies widely in different states, ranging from \$150 a year in New Hampshire to \$600 a year (under certain conditions) in Kansas.

Any maximum should be adjusted from time to time to conform to the purchasing power of the dollar. The guiding principle in determining the maximum relief should be not to make it so large that it will discourage industry. The amount should be just sufficient, taken with other sources of income, to insure to the recipient the necessities of life. There should be left to him and to his friends the incentive to make an effort to improve his condition.

One limitation, however, should be placed upon this grant. The amount allowed a married couple when both are blind should not be so great as to tend to encourage the intermarriage of dependent blind persons. While it may with considerable force be contended that society has no right to interfere with the marriage of blind persons who are self-supporting citizens, where no great likelihood of adding to the dependent blind population exists, it cannot be denied that it should not encourage intermarriage of persons who are already charges upon the public.

For this reason Ohio restricted the amount to be allowed a man and wife to one and a half times the maximum amount to be allowed to an unmarried person. New Jersey excludes a blind couple from the benefit of this act unless they were married before the passage of this law or were both receiving relief at the time of their marriage. In the latter case only one of them may

continue to receive the relief. New York has entirely excluded married couples from the benefit of the act, but does not discriminate against blind persons married prior to the passing of the provision. Also, in New York, exception is made in favor of persons losing their sight after marriage.

PROCEDURE IN ADMINISTRATION OF BLIND RELIEF

Investigation of qualifications. In most places those in charge of the blind relief administration require that applications be made upon a printed form which is in effect an affidavit setting forth the facts entitling the applicant to the benefits of the law. These affidavits are usually signed by the applicant and certain other citizens, residents of the county or state which pays the relief. Blind relief laws invariably include a clause stating that any person who makes a false statement to secure for himself or another the benefits provided shall be deemed guilty of perjury and upon conviction shall be punished accordingly. In practice, in county-administered relief, the officials seem to be most concerned as to whether or not the applicant is a resident of the district and whether or not he is blind. It must be admitted, also, that much less care is exercised to establish the fact of blindness than to determine residence. Furthermore, in far too many counties, need is but a secondary consideration after the facts of residence and blindness have been established. The result has been to convert a special relief for the needy blind, intended by the law, into a pension for the blind, with little attention to need. This, we are convinced, is attributable not only to a carelessness in investigation but also to an underlying conviction on the part of a large mass of the public that there should be a pension for the blind. Only the greatest vigilance on the part of workers for the blind and the unremitting effort of every one else interested in the blind can overcome this tendency.

From the standpoint of the social worker, the evidence required by existing blind relief laws, in order to prove residence, and more especially need, is most inadequate. But when we bear in mind that in county-administered relief the law must apply to the rural county having but one or two blind people, who are well-known members of the community, as well as to the large

30 PRINCIPLES OF BLIND RELIEF LEGISLATION

urban county having a blind population numbered by hundreds, some statement of the minimum evidence required by law is seen to be necessary; and this minimum evidence must be reasonable in extent as viewed by the rural local official. Furthermore, the rural county frequently has no agent who has any conception of a social investigation; the county official, however, is accustomed to the type of affidavit usually required, which does no violence to his theory that one should not pry unnecessarily into the private affairs of an applicant.

From the standpoint of a politician who is very conscious of the fact that the blind people and their friends are voters, a statutory requirement form, which the applicant must comply with, is most satisfactory. The official is "helpless" since he, as well as the applicant, must comply with the law. Therefore, a very definite statement set forth on the statute books of just what shall be demanded of an applicant is far more likely to be carried out than is a general statement calling for a thorough-going investigation. This statement frequently reads:

No certificate of qualification of drawing money hereunder shall be granted until the Board of County Commissioners shall be satisfied from the evidence of at least two reputable residents of the county, one of whom shall be a registered physician, that they know the applicant to be blind and that he has the residential qualifications to entitle him to the relief asked. (*See Ohio law.*)

This provision confuses the issue by requiring the physician to testify not only to the applicant's blindness but also to his residential qualifications. It will be noted also that this provision makes no mention of need. If he is not so conspicuously opulent that it will be embarrassing to the commissioners, they are quite likely not to ask him "any unnecessary questions about his income," as one official put it. Such a clause should separate the affidavit to be signed by the medical examiner from the affidavit setting forth the other grounds for claiming the relief. Furthermore, evidence regarding need should be required, and the law should provide that this evidence be verified by a visit of an agent of the county or of the state to the home of the applicant.

Medical examiner. The practice prevailing in some states, of allowing the applicant to secure his own medical evidence

of blindness has resulted in many abuses. In some communities it is commonly known among the blind people that, for a given fee, certain physicians will testify to the blindness of anyone who can make out a plausible case based on some defect of vision. Furthermore, few persons are *totally* devoid of vision. The medical examiner must determine roughly what degree of defective vision constitutes blindness. Where the relief authorities designate one or more physicians to act in the capacity of examiner of the blind, much more uniformity of treatment results. Experience, also, with many cases helps a doctor to determine more accurately who should be considered blind and who should not. If the examiner is to be paid by the case, applicants should be referred to him by the relief officials in order to avoid any suspicion that he is stimulating this form of practice. The amount which the examiner should be paid will depend upon local conditions. It should be neither so meager as to discourage thorough-going work, nor so large as to expose the county to the charge of extravagance or petty politics in the employment of this medical officer.

The examiner of the blind should be an eye specialist, as the average general practitioner knows little about eyes.

The examining oculist occasionally finds that the condition of the applicant's eyes might be improved by treatment. The discovery of one such case by any county would well repay the community for the cost of the services of a competent specialist for many years. Unfortunately many rural counties cannot boast of an eye specialist within their confines. In such cases the relief officials should appoint the practicing physician of the county who has given most attention to eye difficulties.

Annual re-investigation. Surely little need be said in defense of an annual re-investigation into the needs of the blind relief recipients. It is shocking, however, to note how seldom such re-investigations are made. Many counties have gone for five years or more without checking up their relief list in any thorough-going way. One large and populous county discovered, after four or five years of such neglect, that more than fifty per cent of the allotments of blind relief needed re-adjustment. Upon investigation it developed that sixteen persons had been paid the

32 PRINCIPLES OF BLIND RELIEF LEGISLATION

relief for from two months to two years after they were deceased. A dozen others had moved from the county and returned quarterly to collect their remittances. Others had regained their sight, and ten were so convinced in their own minds that they were no longer eligible to receive the relief that they promptly asked to be removed from the relief list when it was publicly announced that a re-investigation was in progress.

The moral stamina of the blind is little more conspicuous than that of their sighted associates. The public may rest assured that where increased relief is needed the majority of recipients will make application for it if such an increase is legally possible. On the other hand, where conditions are so improved that serious need no longer exists, few recipients will go out of their way to report this fact to the county officials. Re-investigation after long periods of laxity almost invariably results in a reduction of the aggregate amount paid by the county for relief purposes. Justice to the blind, however, rather than an effort to save money, should be the controlling motive in all such investigations. If a helpful spirit, guided by intelligence and experience, predominates in these re-examinations, the blind who are most deserving will be likely to receive more aid, since by eliminating those who no longer need as much relief as the county has formerly afforded, more funds will be available for their less fortunate comrades.

Method of payment of relief—*Prompt action upon application desirable.* Much dissatisfaction with the administration of blind relief has grown out of the long period of time which is frequently allowed to elapse between the date of application and the first payment of the relief when granted. When relief is not allowed, the officials responsible for the decision seldom notify the applicant of such refusal. They feel that by making no report of this decision they are avoiding trouble. The man who has not received the relief and who does not know that his application has been definitely rejected is not likely to make trouble for the relief officials for fear that by so doing he will prejudice his case.

Frequent payments preferable. The relief is usually paid quarterly, and applications are allowed to accumulate until late

in the quarter, when they are all acted upon at once. Sometimes applications received late in the quarter are deliberately deferred until after the beginning of the succeeding quarter, in order to save the county one payment of the relief. An objection to the practice of making quarterly payments is that it presupposes a degree of thrift which the majority of blind relief recipients do not possess. This has been officially recognized in New Hampshire by making the relief payable monthly. When wage earners have been so impressed with the necessity for frequent payment of wages that they have induced the legislatures of many states to require employers to make semi-monthly payments, the blind man who complains that it is difficult for him to piece out his paltry quarterly relief over a three-month period should not have much difficulty in making out a convincing case. Relief should be paid monthly, and, in county-administered relief, action upon applications should be required within thirty days after presentation. Furthermore, payment of the first installment of relief within ten days after it has been officially granted should be compulsory.

Cash payments most acceptable. In some states the blind have been inconvenienced by the practice of paying the relief in warrants or checks. It may be true that, in some states certain legal requirements make this necessary but in most states this is not the case. Blind persons of the economic status of relief recipients are not accustomed to handling bank checks or warrants. It frequently means paying some one a small fee to go to a bank or merchant to secure the currency. Relief payments are, therefore, far more satisfactory when made in cash than in any other form.

Power of attorney. It frequently happens that blind relief recipients are not able to call in person for their relief allowance. In some instances the officials deliver the money in person at the home of the recipient. This is not always practicable. It has been the custom in most places to allow certain individuals to obtain the relief for the recipient. This is accompanied by some dangers, for the relief officials cannot be assured that funds paid in this way will always reach the blind person intact. In order to protect as far as possible both the blind people and the public officials, persons collecting relief for

34 PRINCIPLES OF BLIND RELIEF LEGISLATION

blind recipients are required in most places to file with the county treasurer a power of attorney specifically authorizing them to sign for the money.

Appointment of trustee. In some cases it is apparent that the applicant would derive little or no benefit from the relief if it were granted. Under such circumstances, administrators of blind relief laws have followed one of three policies:

(1) Some administrations have held that relief should be granted if needed, and the officials have no responsibility as to how the money is used.

(2) Other administrations have held that if the relief money is not to be used in a way calculated to improve the condition of the recipient, it should not be paid.

(3) Occasionally the relief officials have insisted upon the appointment of a guardian by the probate court.

The first method is an unwarranted use of public funds. The taxpayers' money should not be paid out to persons who the officials know will waste it, or to persons whose relatives or associates will appropriate it for their own purposes.

The second plan works an injustice upon the indigent blind person. Persons who expend their relief in an improper way are usually the victims of habits over which they have little or no control, or they are the victims of a situation where they need the protection of public authorities. Therefore it is unjust to punish them for offenses which they cannot avoid.

The third plan of appointing guardians through the probate court is slow and clumsy and usually quite unsatisfactory. Furthermore, in county-administered relief, county commissioners are not likely to check up very frequently upon guardians appointed by another branch of the county government and responsible entirely to such a branch.

The New Jersey blind relief law solves this problem by authorizing the relief-dispensing authority to appoint a trustee to handle such funds under regulations laid down by the relief-giving board.

Payment in advance. The question of whether or not relief is paid in advance has been the subject of considerable discussion among county and state officials. Some contend that relief money, like salaries, is paid at the end of the period which

it is to cover. Others hold that it is paid in advance; and, therefore, if the applicant dies before the end of the quarter for which he has received the relief, his heirs should be required to refund a part of the amount paid. Since the aid is to relieve need, there seems to be little logic in defense of its being a payment for a period already covered. If a blind man needs relief the county should not wait until the end of a given period and then relieve him of his past sufferings. The Attorney General of Ohio ruled in 1915 that relief granted to needy blind persons is payable quarterly in advance, to cover the quarter next succeeding the payment.

These payments stand on a different basis from a payment for service rendered, which, of course, cannot be paid in advance; and by reason of the use to which the money is to be put, to wit, the support of a blind person, it seems clear that the legislature intended that it should be paid in advance, so that he would have the use of the money during the quarter, rather than that it should be paid at the end of the quarter by way of reimbursement for expenditures made for his support.

In Missouri, however, the "pension" seems to be regarded as payable at the end of a quarter, since if a man dies or moves from the state, he or his heirs are held to be entitled to a partial payment of the relief for the current quarter.

Payment of relief as entrance fee to home. From many parts of the country there has come a recommendation that authority be given to pay blind relief money directly to homes for aged and infirm persons in order to cover the required entrance fee. While this would often be a good investment for the county, it might, in many places, be considered to be bad public policy. As a matter of fact, while such a procedure is not explicitly permitted in any of the state laws, some relief officials have granted the aid to needy individuals upon the understanding that it will be paid over to a home to apply on the entrance fee. Such homes are required to admit immediately such indigent blind persons, though it may take several quarterly instalments to complete the payment of the entire fee. Such persons, however, usually do not become regular inmates until the entire amount of the entrance fee has been paid.

Constructive use of relief money. Frequently, in the administration of blind relief funds, it is possible to use the available money in such a way as to reduce or even to remove the need for such assistance. In some instances, by treatment, an applicant's sight may be restored. In other cases a course of special vocational training may enable him to take his place as a wage-earner. Several states have authorized the allotment of funds (not to exceed one year's payment of the relief) to be used for medical purposes. Colorado and New Jersey have also made special provisions in their blind relief laws so that these funds may be used to defray the costs of vocational training.

OTHER CONSIDERATIONS IN DRAFTING A BLIND RELIEF LAW

Recipient shall not be deemed a pauper. The statute books of many of our states still contain the medieval provision disfranchising as paupers the recipients of public poor relief. In New Hampshire, for instance, the names of such persons are published in the annual reports of the county commissioners and these lists are checked up scrupulously by the election officers. In order to avoid legal discriminations against recipients of the blind relief, the New Jersey blind relief law contains the following specific provision: "No blind person shall be deemed a pauper by reason of receiving relief under this act."

Special levy. A specific provision for a blind relief levy would, strictly speaking, not usually be necessary. In most states a blind relief is constitutional only when it is classified as a form of poor relief. The general laws of the state almost invariably vest in the county the authority to care for the poor. Most blind relief laws specify that the blind relief shall be paid from the general funds of the county. The laws of California, Nevada and Ohio, however, authorize the counties to make a special levy for blind relief purposes, and the laws of Missouri and Illinois provide for a special levy to meet the state's payments of blind relief.

There are certain advantages in the special levy. Where the relief is paid from the general funds, the plea that the county cannot afford to pay the relief is quite common. In states where the relief is paid from the poor fund, two tendencies are manifest: either the blind are treated quite after the fashion of other per-

sons who are compelled by need to apply to the county for aid, and are subjected to the humiliation from which special blind relief laws are intended to spare them; or the county poor-relief authorities frequently report that there are not adequate funds with which to carry out the blind relief law.

The question of the amount of the levy depends so much upon the general tax laws that the amount must of necessity vary with the state. Ohio makes a levy of three-tenths of a mill on the dollar. In wealthy counties of the state this has been found to be more than adequate. In the poorer counties this levy has not yielded sufficient funds to carry out satisfactorily the purpose of the blind relief act.

Payment of relief compulsory. The needy blind have suffered so much from the refusal of county commissioners to pay a blind relief sufficient to be of any practical assistance, or to pay any relief at all, that there is a marked movement throughout many states to make the payment of the relief compulsory. In the fight to get the blind relief law upon the statute books, its friends have in some states accepted a compromise provision which merely permitted counties to pay a blind relief when they saw fit. As a result, in Iowa, for example, thirty per cent of the counties refused to pay the relief; in Illinois seventy-five per cent of the county boards refused to take any action under the law; and in Nebraska over half of the counties have failed to give the blind the advantage of the relief provision. Consequently, in 1915 the Illinois law was changed, making it compulsory on the part of county boards to pay a relief of \$150 a year to any blind person otherwise qualified, having an annual income of less than \$250. In 1919 the Iowa law was amended, making it compulsory on county boards to pay an annual relief of not less than \$150 and not more than \$300 to blind persons otherwise qualified, having an annual income of less than \$300. The experience of the Middle Western States would seem to indicate that if the indigent blind generally are to benefit from a county relief law, some compulsory clause should be included. This compulsory clause should be sufficiently rigid to insure aid to blind persons in extreme need, and yet sufficiently flexible to permit a very small relief to persons who require only slight assistance.

38 PRINCIPLES OF BLIND RELIEF LEGISLATION

Constitutionality. In drafting a blind relief bill, care must be taken to keep within the limitations of the constitution of the state for which the bill is being drafted. In many of the states where blind relief laws are in operation, local opinion is divided as to the constitutionality of such legislation. In Ohio the question of constitutionality has been very much before the public. In 1908 a law passed four years earlier was declared unconstitutional on the ground that it was appropriating public funds for the private use of a special class. In 1913 the constitutionality of a blind relief law enacted in 1908 was upheld by the Ohio State Supreme Court. The law of 1908 was held to be within the power of the state legislature to enact, upon the grounds that it is the proper function of the state to care for its poor, and that this law created machinery providing for a special group of public charges and excluding them from the benefits of any other public relief.

In Missouri the question of constitutionality was deemed such an obstacle that an amendment to the constitution was secured, especially authorizing the enactment of a blind pension law.

Outside of Ohio, however, the courts have not yet been called upon to pass upon this subject. The particular phrase contained in the Ohio law which seems to have removed all question of its constitutionality reads as follows: "And such relief shall be in place of all other relief of a public nature." (*See* Section 2967, General Code.*) These words have been incorporated in the blind relief laws of several other states.

CONCLUSION

In America we are prone to feel that when we have placed upon the statute books a law which measures up to our ideals in every respect, our work is done. Unfortunately, it has been demonstrated time and again that social and political reforms do not come so easily. When we have enacted a law which safeguards in every respect the interests both of the blind people and of the tax-paying public, we may find that it works less satisfactorily than does some poorly drafted law in another state.

*See also p. 103 of this monograph. For a further discussion of this subject the reader is referred to Harry Best's comprehensive work, *The Blind*. The Ohio State Supreme Court decisions upon this question can be found in 75 Ohio, 114, and 89 Ohio, 351.

Until the attitude of the public in most localities is changed, no amount of wisely drafted legislation will prevent the exercise of what is popularly known as "pull" on the one side, and of patronage on the other. When relief-giving officials openly boast that more blind people receive the "pension" in their county than in any other county in the state, without reference to the relative needs of the blind in these counties, the public treasury is in danger and the moral stamina of the blind is in a fair way to be destroyed. Where private relief-giving agencies and societies for the blind do not co-operate with more or less conscientious blind relief officials, a satisfactory administration of this aid will not obtain. The private relief-giving agency which endeavors to conserve its funds by inducing county blind relief officials to place upon the relief list persons who do not legally belong there, is playing false with the community. The agent of an association for the blind who hastily and indiscriminately advises new cases to apply for relief, principally because he sees no other way of being of assistance to them, is making an efficient blind relief administration extremely difficult. The worker for the blind who holds that his public duty has been discharged when he sees to it that the needy blind receive generous consideration at the hands of the relief officials, has comprehended but one side of his responsibility. If he does not also support the relief officials in refusing aid where it is not needed, he is more disloyal to his trust than is the niggardly official who pays the relief grudgingly. The association or school for the blind which fails to stimulate among its charges a pride in not accepting the relief is losing one of its greatest opportunities to build up a strong blind relief administration.

The public will receive the kind of blind relief administration it demands. So long as the politician receives applause for declaring that he believes every blind person should receive the relief regardless of legal technicalities, a strict enforcement of the law is very unlikely. Charity organizations and associations for the blind are the most important factors in forming public opinion upon this subject. All that the legislator can do is to provide practicable machinery for the administration of adequate blind relief and erect reasonable mechanical safeguards against abuses. If this machinery is to function effectively, public opinion must afford it intelligent direction, a right spirit, and community support.

**PART II.—HISTORY AND TEXTS
OF LAWS OF INDIVIDUAL STATES**

CALIFORNIA

The blind relief law in California is the result of the efforts of the Alumni Association of the State School for the Blind. In 1917 this Association secured the introduction of a bill in the State Legislature, but the measure died in committee.

In 1919 the same blind relief measure was re-introduced by Assemblyman James Manning and passed after some amendments in committee. This act still stands upon the statute books, with certain minor changes made by the amendment of 1921, which authorized the payment of the relief monthly instead of quarterly and raised the maximum annual amount from \$150 to \$180.

The California law bears a close resemblance to the one passed in Ohio in 1908. It permits the County Boards of Supervisors to grant aid to "any person who by reason of loss of eyesight is unable to provide himself with the necessities of life and who has not sufficient means of his own to enable him to maintain himself."

While the law permits the counties to make special levies for the creation of a Blind Relief Fund this is not done. The relief payments are drawn from the County Poor Fund, which, in years when there is much need among the general population, is often so depleted that the blind people do not receive the liberal treatment which the law was intended to provide.

In 1926 about 450 persons in California received the blind relief, and the amount expended for this purpose in that year totaled \$70,347.

In November, 1928 a constitutional amendment is to be submitted to the voters of California which, if passed on favorably, will authorize the Legislature "to grant aid to needy blind persons, not inmates of any institution supported in whole or in part by the state or by any of its political subdivisions."

STATUTES OF CALIFORNIA, 1919—CHAPTER 144

An act to provide a relief fund in the several counties, or any city and county of the state for the needy blind, providing for and prescribing the powers and duties of boards of supervisors in every county or city and county.

The people of the State of California do enact as follows :

Section 1. The boards of supervisors of the several counties and cities and counties in this state are hereby authorized and permitted to levy, in addition to the taxes now levied by law for other purposes than those herein provided, a tax not exceeding two-tenths of one mill per dollar on the assessed value of the property of their respective counties and cities and counties to be levied and collected as now provided by law for the assessment and collection of taxes, for the purpose of creating a fund for the relief of the needy blind of their respective counties and cities and counties.

Section 2. A needy blind person shall be construed to mean any person who, by reason of loss of eyesight, is unable to provide himself with the necessities of life, and who has not sufficient means of his own to enable him to maintain himself.

Section 3. A needy blind person, in order to receive relief under this act, must be a resident of this state at the time this act takes effect, or become blind while a resident of this state, and shall be a resident of the county for one year next preceding the date of the application provided for herein.

Section 4. All persons claiming relief under this act shall file, at least ten days prior to action on said claims, with the board of supervisors a duly verified statement of the facts bringing him within the provisions of this act. The list of claims shall be filed in the order of filing in a book furnished for that purpose by the board of supervisors, and which record shall be open to the public. No certificate of qualification for drawing money under this act shall ever be granted until the board of supervisors shall be satisfied, from the evidence of at least two reputable residents of said county, or city and county, one of whom shall be a duly and regularly licensed and practicing physician, that they know the applicant to be blind, and that he has the residential qualifications to entitle him to the relief asked for, which evidence shall be in writing, subscribed to by such witnesses, subject to the right of cross-examination by the board of supervisors or other persons. If the board of supervisors is satisfied upon such testimony that the applicant is entitled to the relief hereunder, it shall issue an order therefor, in such sum as it finds needed, not to exceed one hundred eighty dollars per annum, to be paid

monthly out of the fund herein provided for on the warrant of the county auditor, or auditor of the city and county. (*As amended 1921.*)

Section 5. The board of supervisors shall annually examine as to the qualifications of any one on the blind list and increase or decrease the allowance within the statutory limits, or if said board is not satisfied that the person so on the list is qualified to draw any money said board shall entirely remove him from the list and shall forthwith notify the auditor of such action.

Section 6. The board of supervisors of every county and city and county shall meet within thirty days after this act takes effect and thereafter annually on such days as the board shall select and at such times as may be necessary and examine carefully the list of applications filed hereunder.

Section 7. The board of supervisors of every county or city and county are hereby authorized and directed to transfer from any money in the poor fund of any county to the blind fund, herein provided, for the year 1919, sufficient money to carry out the purposes of this act.

Section 8. Any person who shall make a false statement in order to secure for himself or another, the benefit herein provided, shall be guilty of perjury.

Section 9. It is hereby declared to be the duty of the board of supervisors in each county and city and county to adopt such rules, regulations and ordinances necessary to carry into effect the purposes, aims and objects of this act. It shall be competent for the board of supervisors mentioned herein to appoint such person or persons to act for such board in carrying out the object or objects and purposes of this act.

(*Passed 1919; amended 1921.*)

COLORADO

Mrs. Jennie C. Jackson, State Teacher for Adult Blind of Colorado, seems to have been the first person in her state to work actively for the passage of a special blind relief law. Through her efforts a blind relief bill was introduced in the Colorado Legislature in 1913. This was a new departure to the minds of the state legislators, and as there was practically no organized propaganda in its behalf, little was accomplished beyond familiarizing the lawmakers with the needs of the indigent blind.

In 1915 the Society of United Workers for the Blind of Colorado was organized. In the same year a committee of this

organization secured the introduction into the Legislature of a new blind relief bill and worked actively in its behalf. Again, however, little was accomplished beyond educating the public. In 1917 the bill was once more revised and a committee of the United Workers for the Blind had it introduced into the General Assembly. It passed the House of Representatives by unanimous vote, having been ably defended by the blind representative, Hon. James M. Downing, of Aspen. The bill was received very favorably in the Senate and passed second reading in the committee of the whole, but was then referred to the finance committee of the Senate and there pigeon-holed by the chairman, who was an avowed opponent of all pension legislation. In 1918 the Society of the United Workers for the Blind appointed a committee on blind relief, consisting of L. M. Wilcox, Dr. E. J. Clark, Ex-Governor E. M. Ammons, and Mrs. Jackson. This committee determined to make a direct appeal to the voters of the state. The bill summarized below was accordingly initiated and voted upon at the general election on November 5, 1918. The measure received over 122,000 affirmative votes and something over 9,000 negative votes. This was the largest majority ever given an initiated bill by the Colorado voters. It may be interesting to know that Mr. Wilcox, Mr. Downing and Mrs. Jackson are all blind. This law provided in brief, as follows:

It created a Blind Benefit Commission, of which the State Auditor and Superintendent of Public Instruction were ex-officio members, with a third member to act as secretary at a salary of \$300 a year. Applications for blind relief were to be made to the county clerk, who in conjunction with the county physician, made investigation as to blindness and as to need. Reports of these investigations were referred to the Blind Benefit Commission. This commission made the awards upon such information. The counties paid the relief to the blind, quarterly, and at the end of the year the state refunded to the counties one half of the expenditures made for such purposes. To be eligible to receive the relief, a blind person was required to have lived in the state three years and to have an annual income of less than \$360; in the case of a woman, the recipient of the relief had to be over eighteen years of age, and in the case of a man over twenty-

one years of age. The Blind Benefit Commission was empowered to grant a relief of not to exceed \$300 per annum. Blind persons moving from one county to another did not forfeit their relief.

This law was in many respects the most satisfactory act of its kind upon the statute books of any state. It had, however, certain defects which were partly due to the necessity for complying with public prejudice in the drafting of such measures. In order to obviate some of the objections to the creation of new commissions, the Blind Benefit Commission was composed of two existing officials together with a third person who was to act as secretary. The salary of the secretary was set at \$300 in order to win the support of those who objected to the high cost of administration of such funds. The residential provision resembled in wording that of several other western states, and imposed the three-years' residence qualification, not only upon those who had become blind before coming to Colorado, but also upon those who had lost their sight after moving into the state.

The centralized administration provided in this law insured a uniformity of policy among the various counties, but the lack of adequate machinery for administration had the result which should have been foreseen. The busy *ex officio* members of the Commission, conscientious as they were, were obliged to accept in large measure the recommendations of the county officials. The amount expended for relief rapidly mounted, until in 1925 the state's share (one half) of this expense was over \$142,000. The inevitable reaction occurred. Members of the legislature demanded a reduction in the expenditures for blind relief purposes.

A survey of the state's activities for the blind was made and, as a result, the Blind Benefit Commission was supplanted by a State Commission for the Blind, charged with the administration of all of the state's work for the adult blind. The Blind Relief Law was entirely re-written, the old definition of need based upon an arbitrary income was supplanted by a definition of need more in accord with general poor-law conceptions, and the lower age limit was raised from eighteen years in the case of women and twenty-one years in the case of men, to forty years for both. In 1927, however, the severity of this clause was somewhat mitigated by adding the words "except when, in the opinion of the Com-

mission, the case is extreme." It was believed by those drafting the law that persons under forty years of age might be enabled through the efforts of the new Commission to earn a living, thus making blind relief money unnecessary.

Another slight change in the Colorado law, brought about by the 1925 amendment, raised the state residence requirement from three to five years, in order to discourage immigration of the blind into Colorado for the sake of drawing the blind relief. This residence requirement still excludes from the benefits of the law persons who have lost their sight since coming to Colorado but who have not been residents of the state for the necessary five years.

We are not informed as to the degree to which the old Colorado blind relief provision was abused, but the drastic revision of the law must have worked a hardship upon many needy blind people. In 1925, under the old law, the state paid \$142,068 as its share of blind relief, and in 1927, after the new law had taken effect, spent only \$63,258 for this purpose, a reduction of nearly fifty-six per cent. This radical reaction in a generous state should serve as an object lesson to the staunch defenders of the *status quo* in certain other states, who oppose vigorously the efforts of relatively sympathetic persons to correct such abuses of existing laws as inflate blind relief. If the friends of the blind relief laws were a little more active in safeguarding the good reputation of their precious laws by insisting upon a strict and common-sense administration, such acts would become the most popular legislation on the statute books.

LAWS OF COLORADO, 1925—CHAPTER 60

An Act to create a State Commission for the Blind: To consolidate in it the agencies heretofore existing for the teaching, vocational training, employment and assistance of the adult blind, by transferring to it the authority to select, appoint and prescribe the duties of the state teacher for the adult blind; the powers and duties of the Board of Control of the Industrial Workshop for the Blind and of the Blind Benefit Commission: to define the duties of the County Commissioners with respect to blind benefit: to define who shall be eligible to receive blind benefits and other assistance: to define more particularly the duties of said State Commission for the Blind: making an appropriation and repealing all acts in conflict therewith: (Abridged).

Section 1. There is hereby created and established the STATE COMMISSION FOR THE BLIND, hereinafter called "the Commission." By the words "County Board" is meant the Board of County Commissioners or in the City and County of Denver, the officials performing the functions of such Board. By the term "benefit" is meant an allowance of money as provided in Section 8 hereof.

Section 2. The Commission shall consist of five members, to be appointed by the Governor, one for a term of five years, one for a term of four years, one for a term of three years, one for a term of two years, and one for a term of one year, and thereafter as the term of each member expires a member shall be appointed for a term of five years, provided, that of the first appointees three shall be members of the present Board of Control of the Industrial Workshop for the Blind. Vacancies shall be filled by the Governor for the remainder of the unexpired term. The members shall serve without compensation, but shall be reimbursed for their actual traveling expenses on official business.

Section 3. The Commission shall have power to provide for the care, education, vocational training, employment or treatment of any blind person within the purview of this act, by such means as shall appear most agreeable to the public interest and the welfare of such person: and the power to provide for the sale of the products of such blind person, and to provide for the purchase and sale of material to the blind in order to keep them profitably employed, but the expenditure of money by the State in that behalf shall never exceed the amount appropriated by the State for such purposes; and the Commission shall never undertake the permanent support or maintenance of any blind person; the main object of this act is to aid the blind to become self-supporting rather than to afford them permanent support at public expense. (*As amended 1927.*)

(*Sections 4, 5 and 6 omitted.*)

Section 7. To receive a benefit or other relief under this Act, the applicant shall be an adult blind citizen of the State of Colorado who has resided continuously in the State for at least five years next preceding, and in the county in which his application is made for one year next preceding such application. He shall file his application with the County Clerk and Recorder of the County in which he resides, accompanied by an affidavit stating his age, places of residence during the preceding five years, his financial resources and income, the name and residence of relative or relatives who might properly be required to furnish support, how long blind, what employment he has had, and his general physical condition, together with such other facts or matters

as may be required by the Commission. The said Clerk and Recorder shall forthwith transmit said application to the County Board of such County, or City and County. (*As amended 1927.*)

Section 8. The County Board of any county, or city and county, shall examine such application and affidavit and all evidence ascertainable bearing on the same, including the results of an examination by a competent oculist, who shall include in his report a complete record of the case and whose fee shall be paid by the county, and if such Board is satisfied that the applicant is blind and is eligible to receive a blind benefit or other relief, they shall so certify to the Commission, and shall transmit thereto the affidavit and application and the report of said oculist and the Commission shall determine what, if anything, shall be done for such applicant after first making such further investigation and requiring such further affidavits, or other proof, as to it shall seem expedient; and if it shall adjudge that such applicant shall be given a blind benefit, or other relief, it shall determine the nature thereof, and, if a benefit be awarded, the amount of the same considering the circumstances of the applicant, not exceeding, however, the sum of Three Hundred (\$300.00) Dollars per annum, payable in quarterly installments; and said County Board shall, upon being notified by the Commission of its decision, pay the benefit or other relief awarded so long as said beneficiary shall be and remain a resident of said County; Provided, however, that no applicant shall be given a blind benefit or other relief if an inmate of any public or private charitable institution; and no benefit or relief, other than vocational training, shall be awarded hereunder if the applicant is less than forty years of age, except when, in the opinion of the Commission, the case is extreme; nor shall any benefit or relief other than vocational training be awarded any applicant who has a father, mother, child or grandchild, brother or sister, husband or wife, of sufficient ability to support him and who can be compelled or induced to support him; or in any case where the applicant is earning, or has the opportunity of earning, a livelihood, or where employment sufficient for such purpose can be found for the applicant; nor shall any benefit or relief be awarded to any applicant who is not a public charge or liable to become so through want of financial means or of ability to earn a livelihood; in cases where the blindness of the applicant can be removed, wholly or substantially, by medical or surgical treatment, relief shall consist only of payment of necessary expenses of such treatment; and in all cases within the purview of this act, as above limited, the Commission shall have and exercise a reasonable discretion in granting, denying, discontinuing or modifying of benefits or other relief and in determining the kind, extent or amount thereof; but in no case shall the Commission

transgress or disregard any of the terms, conditions or limitations above imposed in awarding any benefit or relief under this act. It shall be the duty of the County Board of each county, or city and county, to levy such taxes and to appropriate such moneys, from time to time, as may be necessary to carry out the provisions of this act. (*As amended 1927.*)

Section 9. The Commission shall, from time to time, diligently inquire into the qualifications and examine as to the disability and needs of all persons who may have been awarded benefits or relief hereunder, and in case the Commission finds that any such person is not qualified to draw further benefits or receive further relief, or that his disability or the circumstances under which benefit or relief was granted have been removed in whole or in part, then the Commission shall modify or change the amount of the benefit awarded or the character of the relief granted or may discontinue the benefit or relief entirely. In case of a modification, change or discontinuance of a benefit or other relief, the County Board of the County paying the same shall be notified in writing without delay of such action of the Commission, and a copy of the decision of the Commission shall be filed with said County Board, and it shall likewise be the duty of the respective County Boards, from time to time, to report to the Commission any facts ascertained by them bearing upon the right of any person to continue to receive any relief or benefit theretofore awarded him. Provided, that no person shall be entitled to any benefit or relief hereunder while receiving benefits pursuant to the Act included in Sections 720 to 736, Compiled Laws of Colorado, 1921.

Section 10. Whoever, to secure for himself or another, any benefit or relief provided for in this Act, makes a false statement, shall be deemed guilty of perjury and upon conviction shall be punished accordingly.

Section 11. The County Board of each County, or City and County, shall, on or before November 30th in each year, certify to the Commission an itemized statement of the sums of money paid out under the provisions of this Act during the preceding twelve months, whereupon the Commission, upon being satisfied of the correctness of the statement, shall draw its vouchers in favor of each County so certifying for one-half of such expenses to be borne by the State, and the Auditor of State shall draw warrants for the payment of same against the appropriation made for the Commission.

(*Sections 12, 13, 14, and 15 omitted.*)

Passed 1925; amended 1927.

CONNECTICUT

In 1921 the General Assembly of Connecticut authorized the State Board of Education for the Blind to extend direct monetary relief to needy blind persons to an amount "not to exceed \$30 a month." The Board is given a free hand in the administration of this relief and, judging from the information available, this work has been carried on with wisdom and discretion. During the fiscal year which ended June 30, 1927, 130 blind persons in Connecticut were beneficiaries under this law and a total of \$15,045 was expended for the relief of the needy blind.

PUBLIC ACTS OF CONNECTICUT, 1921—CHAPTER 231

Section 2. The State Board of Education of the Blind may aid needy blind persons in such way as it shall deem expedient, expending for such purpose such sum as the general assembly may appropriate, provided the maximum expenditure for any one person shall not exceed the sum of \$30 a month.

Passed 1921.

IDAHO

The Idaho law was passed in 1917 and still stands on the statute books as enacted, except for the following minor changes.

In 1921 amendments were passed which raised the maximum amount from \$180 per year to \$20 per month, provided for monthly instead of quarterly payments and struck out the following clause: "Provided, that in case any family contains two or more blind persons, the total sum for such family shall not exceed two hundred and fifty dollars per annum."

According to state officials in Idaho the law is functioning satisfactorily. During a recent year, twenty-five out of the forty-four counties in the state spent a total of \$12,556 for the aid of fifty-six adult blind. Twelve counties replied that they had received no request for aid and the remaining counties did not report.

COMPILED STATUTES OF IDAHO, 1919—CHAPTER 154

ARTICLE 3. RELIEF OF NEEDY BLIND

Section 3742. Charge Against Current Expense Fund. It shall be lawful for and obligatory upon any county to contribute

such sum, or sums, of money as are hereinafter specified from the current expense fund of said county toward the support of any blind person who comes under and complies with the provisions of this article.

Section 3743. Needy Blind Defined. Any male person of the age of 21 years or over, and any female person of the age of 18 years or over, who by reason of loss of eyesight is unable to provide himself or herself with the necessities of life, and who unless relieved as authorized by the provisions of this article would become a charge upon the public or upon those not required by law to support him or her, shall be deemed a needy blind person.

Section 3744. Same: Residential Qualifications. In order to be entitled to relief under the provisions of this article a needy blind person must become blind while a resident of this state, or be a bona fide resident of this state for a period of seven years immediately preceding the application for relief and of the county for three years immediately preceding the application for relief: *Provided*, That in cases where the blindness ensues in this state after a period of residence less than that specified in this section, it shall be the duty of the officer hereinafter designated to authorize the granting of relief to ascertain by sufficient evidence that the removal to this state and to the county in which relief is applied for, was not primarily for the purpose of securing relief under the provisions of this article.

Section 3745. Hearings on Claims for Relief: Jurisdiction of Probate Court. Claims for relief hereunder shall be made by the claimant filing with the probate judge a duly verified statement of the facts bringing him or her within the provisions of this article. The list of claims shall be filed in a book furnished for that purpose by the county commissioners in the order of filing, which record shall be open to the public. No certificate of qualification for drawing money hereunder shall be granted until the probate judge shall be satisfied from the evidence of at least two reputable residents of the county, one of whom shall be a registered physician skilled in treatment of diseases of the eye, and neither of them a relative of the applicant, that they know the applicant to be blind, and that he has the residential qualifications to entitle him to the relief asked. Such evidence shall be in writing, subscribed to by such witnesses who shall be subject to cross-examination by the probate judge or other person. If the probate judge is satisfied upon such testimony that the applicant is entitled to relief hereunder, he shall issue an order therefor, in such sum as he finds needed, not to exceed \$20 per month for each person to be paid monthly from the current expense funds of the county on the warrant of the county auditor; the relief

herein provided shall be in place of all other relief of a public nature. (*As amended 1921.*)

Section 3746. Alternative Order for Surgical or Medical Treatment: Written Consent of Beneficiary Required. If in the examination of the qualifications of any person filing a claim for relief, or having a place on the list of those receiving benefit hereunder, it shall be determined upon the evidence of a registered physician qualified as set forth in the preceding section, that any person or persons making such claim, or then on such list, might have such disability benefited or removed by proper surgical operation, or medical treatment, and if such person entitled to such relief files his consent in writing thereto, then the probate judge may order expended for the purpose of such surgical operation or medical treatment all or any portion of the relief, which he may award to such person for one year under the provisions of this article, and in such case the warrant of the county auditor shall be issued direct to the persons entitled to compensation for such surgical operation, or medical treatment upon the certificate of the probate judge instead of being payable quarterly to the persons entitled to such relief.

Section 3747. Penalty for False Statement. Any applicant for relief, or any person appearing in behalf of any applicant for relief hereunder, who makes a false statement, shall, upon conviction, be deemed guilty of perjury and punished accordingly.

Passed 1917; amended 1921.

ILLINOIS

The blind relief law of Illinois makes it mandatory upon the counties to grant a benefit of \$365 a year to any blind person of legal age who if single has an income of not over \$465 a year or who, if married, has together with his or her spouse a total income of not over \$1000 a year, and who has lived in the state continuously for ten years and in the county for three years. A physician appointed by the Board of Supervisors must make an examination and state whether the applicant "is blind or not."

This law was the result of the efforts of an organization of blind people known as the Social and Mutual Advancement Association of the Blind in Chicago. The bill, as first introduced, made the payment of relief mandatory upon county boards. A friend of the measure in the Lower House of the Illinois Legislature, however, doubtful of its constitutionality and fearing that it could not be passed in its original form, had the bill amended,

making the granting of this relief optional. In this form it passed the legislature and became a law in July, 1903. Under this act less than one third of the counties of the state paid the relief. Among the counties not paying the relief was Cook County, in which the city of Chicago is located, and which contains about one-third of the blind population of the state. Many futile efforts were made by the organizations for the blind of Chicago to induce the Board of Supervisors to pay the relief under this law. They were invariably refused, upon the grounds of lack of funds. There seems to have been but little opposition to the law throughout the state, beyond the reluctance of county officials to spend the money required for its operation.

In 1915 the blind people prevailed upon the legislature to amend the law, making the payment of the relief mandatory upon the counties. So far as we are able to ascertain, all county officials are now complying with the act. The law as originally enacted provided that a relief of \$150 annually be granted to blind persons having an income of less than \$250 a year. In 1921 the benefit was raised to \$250 a year for persons having an annual income of less than \$250. In 1927 the benefit was still further raised to \$365 a year for unmarried persons having an income of less than \$465 and for married persons for whom the total income of self and spouse was less than \$1000. The 1927 amendment also included a clause requiring the state to reimburse the counties to the amount of one half of the blind relief funds paid out.

Social workers of Illinois condemn the blind relief act; first, because it is inflexible and recognizes no degree of need; second, because it discourages industry on the part of persons having an annual income of slightly less than \$465; third, because it provides no machinery for constructive work in the form of re-education, etc. It is pointed out, for example, that if a man having an income of \$400 a year should by considerable effort increase his income to \$500 a year, he would immediately be penalized by losing his relief of \$365. He would, therefore, be \$265 worse off than if he had not made the increased effort.

The principle of the Illinois law, setting an arbitrary maximum income which forms a line of demarcation between the indigent and those not indigent, has been copied by many of the west-

ern states. Everywhere it has had the same effect. Persons employed in workshops and in other occupations where their income can easily be ascertained by the agents of the county boards have sought other forms of employment as soon as their wages approached the legal maximum under which they could receive the county aid. The worst manifestation of this tendency is the begging frequently resorted to by such persons.

Another feature in the Illinois law which has been widely copied is the clause which reads as follows:

That no person . . . who has not resided within the State of Illinois continuously for ten (10) consecutive years, and within his respective county three (3) years, immediately before applying for said benefit, shall be entitled to the provisions of this act.

The object of this measure, of course, is to protect Illinois against an immigration of dependent blind people attracted by the county aid granted under this act. Under the terms of the law, however, not only are those who have moved into the state after losing their sight excluded from the blind benefit, but also those who lose their sight after moving into Illinois must reside in the state ten years and in the county three years. Obviously, such a restriction is unnecessary and can serve no good purpose. The only explanation of such a provision is that those drafting the law did not take into account the fact that many persons might lose their sight after taking up residence in the state.

It is unfortunate that when the legislature of Illinois was so generously providing for the needy blind people it did not erect more safeguards against abuse of this law. This law still contains no adequate provision for a careful check-up upon the claims of applicants for relief, nor does it provide for annual re-investigations to determine whether or not those on the relief list are still entitled to the benefits afforded.

The counties of the state do not all make a separate appropriation for blind relief purposes, and therefore it is difficult to obtain exact information as to the amount expended for blind relief throughout the state. Ninety-nine of the 102 counties reported their expenditure for this purpose for the year ending June 30, 1927, and the total of the amounts so reported was \$721,494, the number of recipients being 3065.

The average number of recipients of blind relief in Illinois during the past two years (1926-27) has been 2872. Assuming that the number receiving relief will not be less than in the past, Illinois will be paying for blind relief purposes, when the 1927 amendments come into effect, upwards of a million dollars a year. Since the state reimburses the counties for one half of this amount, the state law-makers may well consider the advisability of throwing certain safeguards around the administration of the law and placing its operation under the supervision of the State Welfare Department or some other appropriate subdivision of the state government. Such supervision, however, should be in the hands of persons thoroughly familiar with the needs of the blind, so that the interests of the sightless individual as well as those of the taxpayer may receive intelligent consideration.

The prevalence of trachoma in the southern section of Illinois has placed a tremendous burden upon counties in that section of the state. The southern counties have not only the largest number of blind relief recipients in proportion to their population, but they are also the counties least able financially to meet this obligation. When we consider the prevalence of trachoma and other infectious eye diseases in Illinois, it seems unfortunate that outside of Cook County almost no effort is being made by those in charge of blind relief administration to diagnose the eye condition of applicants for blind relief or to prevent the multiplication of applicants as a result of infection. Since those counties least able financially to conduct a campaign of prevention are the most burdened by dependent blind persons, it would seem that state co-operation in a prevention of blindness program is the only solution of the problem.

LAWS OF ILLINOIS, 1903

An Act for the relief of the blind.

Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: It is lawful for and obligatory upon each county of this State to contribute such sums of money as are hereinafter prescribed, from the charity or general funds of said county, toward the support of each blind person who may come within the provisions of this Act; and the State shall, in the manner hereinafter provided, reimburse each

county to the extent of one-half the sums contributed by such county in compliance with the provisions of this Act. (*As amended 1927.*)

Section 2. Benefit for Blind. That all male persons over the age of 21 years and all female persons over the age of 18 years, who are declared to be blind, in the manner hereinafter set forth, and who come within the provisions of this Act, shall receive as a benefit three hundred sixty-five dollars per annum, payable quarterly, upon warrants properly drawn on the treasurer of the county of which such person or persons are residents. (*As amended 1927.*)

Section 3. Who Not Entitled to Provisions of Act. No person who is not a citizen of the United States, or who is a charge of any charitable institution of this State or any county or city thereof, or who has an income of more than four hundred sixty-five dollars (\$465.00) per annum, or who is married and the total income of such person and spouse is one thousand dollars (\$1,000.00) or more per annum, or who has not resided within the State of Illinois continuously for ten (10) consecutive years, and within his respective county for three years, immediately before applying for said benefit, shall be entitled to the provisions of this Act. (*As amended 1927.*)

Section 4. Duty of Commissioners to Appoint Examiner of the Blind. It is hereby made the duty of the board of county commissioners or board of supervisors in each county in this State, to appoint a regular practicing physician whose official title shall be "examiner of the blind," who shall keep an office open in some convenient place during the entire year for the examining of applicants for said benefit. (*As amended 1915.*)

Section 5. Duty of Examiner of the Blind—Certificate—Register—Compensation. It is hereby made the duty of the examiner of the blind to examine all applicants for benefit, referred to him by the board of county commissioners or board of supervisors, and to endorse on the application a certificate to each applicant, showing whether he or she is blind or not. Said examiner shall keep a register in which he shall enter the facts contained in each certificate. He shall be paid from the county treasury for his services the sum of two dollars (\$2.00) for each applicant so examined.

Section 6. Applicants for Benefit—Affidavits—Duty of County Clerk. All persons claiming the benefit provided herein may go before the county clerk of their respective counties, and make affidavit to the facts which bring him or her within the provisions of this Act, which shall be deemed an application for said benefits; two citizens, residents of the county, shall be required to make affidavits to the fact that they have known said

applicant to be a resident of the county for the three years immediately preceding the filing of said application; the county clerk shall immediately refer the application to the examiner of the blind for said county. (*As amended 1915.*)

Section 7. Register to Be Kept by County Clerk—Must Certify at Each Meeting to Commissioners—Time Payment Begins. The county clerk shall register the name, address and number of applicant, and date of the examination of each of the applicants who have been so determined to be entitled to said benefit, at each meeting of such county commissioners or county supervisors of the county, he shall certify to the county commissioners or county supervisors of the county, the name and residence of each applicant, so determined by the examiner to be entitled to said benefit and such applicant shall be entitled to said benefit from and after the first day of the months of January, April, July and October thereafter, to be provided for as set forth in section 8 of this article. (*As amended 1915.*)

Section 8. Duty of Commissioners, etc., to Provide for Payment. It is hereby made the duty of the board of county commissioners or board of supervisors of each county in this State to provide in the annual appropriation for the payment of persons so entitled to said benefit, who have complied with the provisions of this Act, and to cause warrants on the county treasurer to be drawn, properly endorsed, payable to each of said persons in said county each quarter in each year thereafter, during the life of said persons, while they are residents of said county or until said disability is removed. Said board shall also provide in the annual appropriation for payment of persons who may become entitled thereto during the years such sum as in their judgment may be needed for such purpose. It is the further duty of the board of county commissioners or board of supervisors in each county, as the case may be, to certify to the State Auditor an itemized statement of the sum of money paid out in accordance with the provisions of this Act during the last preceding fiscal year of the county; said certificate to be filed with the Auditor within ten days after the last day of the fiscal year of the county. Upon receipt of such certificate the Auditor being satisfied with its correctness, shall draw his warrant in favor of each county for one-half of the amount so certified by such county, upon the blind relief fund hereinafter provided for, (*As amended 1927.*)

Section 8½. State Tax Levy. There shall be levied and collected each year beginning with the year 1928 an annual tax of one-tenth of a mill on each dollar of the total equalized assessed value of all the taxable property in the State of Illinois for the purpose of creating a fund to be known as the "blind relief fund,"

out of which shall be paid the State's one-half of the contribution to the blind hereinbefore provided. Said tax shall be collected in the same manner as provided for the collection of other taxes and when collected shall be paid into the State treasury to the credit of the "blind relief fund" and disbursed only as herein provided. The fund shall be accumulative and any surplus for any one year shall be available for disbursement according to law for the next following year. (*Added 1927.*)

Section 9. Penalty for False Affidavit. Any person who shall make a false affidavit in order to secure the benefit herein provided, shall, upon conviction, be deemed guilty of perjury.

Section 10. County to Contribute. Until the special State tax provided for in section 8½ has been levied, collected and paid into the blind relief fund in the State treasury, it shall be the duty of each county to continue to contribute the sum of two hundred fifty (\$250.00) dollars toward the relief of each blind person as heretofore, without reimbursement or contribution on the part of the State. (*Added 1927.*)

Passed 1903; amended 1915, 1921, 1927.

IOWA

Unlike the blind relief legislation in most states, the Iowa law was not the result of agitation carried on by blind people. The bill was fathered by Representative C. L. Anderson of Stanton, Iowa. The following excerpt from a letter from Mr. Anderson is interesting:

I have always wished to be able to do something to relieve the blind from the odium of receiving charity and to be able to secure a pension for them from the commonwealth. When I was elected a member of the thirty-sixth General Assembly one of the measures I wished to introduce was a bill providing pensions for the blind. Perhaps a case in my town was an incentive. Mr. B., a man of small means, with a family of four children, was suddenly stricken blind, leaving the family dependent on charity.

I patterned the bill on laws enacted by Wisconsin and Illinois. A few states had at that time laws relating to aid for the blind; but their provisions were generally inadequate.

No blind person had asked me to secure this law; but some blind men in Des Moines conferred with me regarding the bill after it was introduced. To my knowledge no blind person opposed it.

The bill was introduced in the House February second, 1915, and passed by that body March twenty-second. It passed the Senate April sixteenth and was signed by the Governor the following day.

The original Iowa law provided that County Boards of Supervisors might in their discretion grant to needy blind women over the age of eighteen and to needy blind men over the age of twenty-one a quarterly relief not to exceed \$150 a year. A needy blind person was defined as one having an income of less than \$300 a year.

Many Iowa County Boards of Supervisors exercised their discretion to the extent of not paying any relief under this act. Accordingly in 1919 a group of blind people of Des Moines, among whom L. E. Howard and James Managh were active, drafted an amendment to the blind relief law, designed to remedy this situation. The essential feature of this amendment made it compulsory upon County Boards of Supervisors to grant an annual relief of \$150 to blind persons having an income of less than \$300, and gave them the discretionary power to grant in addition a relief of not more than \$150 a year. This amendment was passed by the Legislature and approved by the Governor, April 10, 1919.

In 1923, through the efforts of one of the supervisors of Polk County, the Blind Relief Law was again amended, striking out the mandatory clause. In 1925, at the instance of the supervisor from Scott County, a section was added permitting the counties under certain conditions to recover from the estate of a blind relief recipient an amount equal to that paid the decedent in blind relief during his lifetime.

The Iowa law still has certain defects which its friends have recognized, chief among which is lack of uniformity in administration throughout the state. It would seem that various interpretations are placed upon the law in the different counties by the boards of supervisors. Some believe the pension to be only a slight alleviation, while others believe that if the maximum of \$25 a month will support a person with slight help from neighbors, it is much better from the economic standpoint to grant that amount than to maintain him at the county farm; moreover it

preserves his self respect. The Iowa State Commission for the Blind found in 1926 that:

- 2 counties granted the maximum;
- 32 counties granted from \$150 to \$300;
- 10 counties granted \$200 and less;
- 6 counties granted \$96 to \$300;
- 26 counties granted \$150;
- 4 counties granted \$150 to \$250;
- 15 counties granted various small amounts, with a minimum of \$8.

Only one county, taking advantage of the permissive character of the law, refused to pay any blind relief, containing that more than the maximum was granted in county aid.

For the year ending June 30, 1927, ninety-three of the ninety-nine counties reported expenditures for blind relief which totaled \$153,597, the number of recipients being 840.

The law as it now stands permits the board of supervisors to draw the blind relief fund from either the county pension fund or the poor fund. Some recipients have objected to the words "from Poor Fund" on their warrants because of the stigma associated with drawing aid from this fund. When we consider that the blind relief law was enacted to spare needy blind people the humiliation connected with receiving aid from the poor fund, it is apparent that the objections based on this point have real justification. In many states the blind relief is paid in currency, a practice which might be a means of obviating this objection.

Another defect is the residential provision which requires persons to live in the state five years before they may be allowed the relief, regardless of whether or not they were blind when they moved into the state. This should be changed so as to permit a resident of the state to receive the relief immediately upon losing his sight even though he may not have lived in the state for five years.

Another feature of the law which should be eliminated provides that the applications for relief must be laid before the county board of supervisors during the first fifteen days of the calendar year. Obviously such a regulation might work a hardship upon many applicants. Fortunately, county boards have more or less generally ignored this requirement and so it has done little harm.

In common with other blind relief laws the Iowa statute provides that the certification of blindness be made by a regular practicing physician. In some counties it is true, it might be impossible to make arrangements with an eye specialist to handle this work, especially when we consider that the fee paid is only two dollars. Nevertheless boards of supervisors would do well to obtain the services of an oculist as Examiner of the Blind whenever possible, and in case the law should come up again for revision an amendment making this mandatory should be incorporated.

The provision of this law which authorizes counties to charge back blind relief payments against the estates of decedent recipients has something to be said in its behalf in the occasional case where such a recipient is fortunate enough to leave an estate. This clause, however, may work a hardship in some instances when the decedent leaves a widow or dependent children.

Among the recent minor changes in the Iowa law was the addition of the following:

Where the beneficiary under the provisions of this chapter is for any cause unable to judiciously expend said funds, the same may be paid to the overseer of the poor or some person appointed by the board of supervisors, who shall expend the same for the use and benefit of the beneficiary.

Again the odious association with poor-law administration is injected into the act which was intended to relieve needy blind people of this burden. Frequently it is necessary to appoint a trustee to handle the expenditure of the blind relief grants, but, if it is to be placed in the hands of the Overseer of the Poor, why have a special blind relief law at all? County boards can always find some public-spirited individual to attend to the proper disbursement of this county aid. Care in selecting such a trustee will often give to the blind recipient not only a few dollars in money but a helpful adviser and friend.

CODE OF IOWA, 1924—CHAPTER 272

5379. Aid Authorized. Any person declared to be blind, under the provisions of this chapter, if male over twenty-one and if female over eighteen years of age, who is not a charge of any charitable institution, and has not an income of over three hun-

dred dollars per annum, and who has resided in Iowa five years and in the county one year immediately before applying therefor, may receive as a benefit the sum of not more than three hundred dollars per annum as the board of supervisors may determine. (*As amended 1923.*)

5380. *Examiner for the Blind.* The board of supervisors in each county shall appoint a regular practicing physician who shall examine applicants for said benefit. (*As amended 1923.*)

5381. *Duties of Examiner—Fee.* The examiner of the blind shall examine all applicants referred to him by the board of supervisors, and indorse on the application a certificate showing whether the applicant is blind or not. The examiner shall keep a register in which he shall enter the name, age, and place of residence of the applicant, and the facts ascertained by the examination, and enter the same on the certificate. He shall be paid from the county treasury for his services the sum of two dollars for each applicant examined. (*As amended 1923.*)

5382. *Application for Relief.* Any person claiming benefits under the provisions of this chapter may go before the auditor of the county of his residence and make affidavit to the facts which bring him within its provision, which shall be deemed an application for the benefit. The affidavit shall be accompanied by the affidavits of two reputable citizens, residents of the county, that they have known said applicant to be a resident of the state for five years and of the county for one year immediately preceding the filing of the application. The auditor shall present the matter to the board of supervisors, which shall refer the application to the examiner of the blind. (*As amended 1923.*)

5383. *Duty of Auditor.* The auditor shall register the name, address, and number of the applicant, and date of the examination of each applicant who has been determined to be entitled to said benefit, and each year on or before the fifteenth day of January, he shall certify to the board of supervisors the name and address of each such applicant. (*As amended 1923.*)

5384. *Payment.* It shall be the duty of the board of supervisors of each county in this state to cause warrants to be drawn upon the county general fund, or poor fund at the discretion of the board, properly indorsed, payable to each of said persons in said county each quarter in each year thereafter, during the life of said persons, while they are residents of said county and while said disability continues. Where the beneficiary under the provisions of this chapter is for any cause unable to judiciously expend said fund, the same may be paid to the overseer of the poor or some person appointed by the board of supervisors, who shall expend the same for the use and benefit of the beneficiary. (*As amended 1923.*)

Deceased Recipients. Whenever it appears, after the death of any person who has received aid under the provisions of this chapter, that his estate, after deducting the exemptions now allowed by law, has property over and above a sufficient amount to pay the expenses of his burial and last sickness, such property shall be charged with the amount paid by the county to such person during his life time, and a claim may be filed against his estate by the county for the recovery of the amount, and an action may be brought in the name of the county by the county attorney to recover the same and the statute of limitations shall not be computed until after the death of person receiving aid as above provided. (*As amended 1925.*)

Passed 1915; amended 1919, 1923, 1925.

KANSAS

In 1911 the Kansas Legislature enacted a law authorizing boards of county commissioners to grant to persons who have lost both hands, both feet, or one hand and one foot, or both eyes, a pension not to exceed \$50 per month. Such persons must be without parents or near relatives able to support them. The law further provided that boards of county commissioners might not grant more than \$25 per month without submitting the question to a vote of the people. The residential qualifications were fifteen years in the state and ten years in the county.

In 1913 the law was slightly amended, extending the benefit of this pension to "those who are otherwise wholly disabled from performing any manual labor."

In 1915 the law was again amended, removing from the benefits of this act persons who have lost one hand and one foot, and reducing the residential qualifications to ten years in the state and two years in the county, or to actual residence in the state at the time of becoming disabled.

This law has been cited in many academic discussions of the problems of blind relief as an ideal provision, inasmuch as it does not set aside the blind as a special class but includes them with other disabled persons. Its benefits, however, have not been very generally enjoyed. As the law is permissive rather than mandatory upon boards of county commissioners, only 47 out of the 105 counties of Kansas pay this pension to blind persons. In the summer of 1927 only 158 blind persons in the entire state

were receiving this pension. The total sum of money paid for this purpose amounted to \$28,612 for the year. It is to be remembered, however, that there are in this state many rural counties which have no blind people.

The rather crude method of submitting to popular vote the question of granting more than \$25 per month is a very unusual application of the referendum principle.

The 1915 amendment slightly altered the wording of the clause which authorized county commissioners to grant the pension. The 1913 law reads, "That the board of county commissioners . . . is hereby authorized and empowered to pay a monthly pension, not to exceed \$50 per month," etc. The 1915 revision reads, "That the board of county commissioners . . . is hereby authorized and empowered in their discretion and by unanimous vote to pay a monthly pension, not to exceed \$50 per month," etc. It was evidently the intention of the legislature to grant full authority to the board of county commissioners in its own discretion to pay a pension up to \$50 per month. The clause requiring a popular referendum on grants exceeding \$25 per month was, however, not repealed, so that boards of county commissioners in the state vary in their interpretation of their powers.

The original enactment of the Kansas law, unlike similar provisions in most other states, seems not to have been the result of the efforts of possible beneficiaries, or of blind people interested in the cause of the blind. Like the Iowa law, it was fathered by a legislator whose interest in certain handicapped individuals prompted him to secure the passage of such an act.

REVISED STATUTES OF KANSAS, 1923—CHAPTER 19

19-244. Payment of Pensions to Disabled Residents. That the board of county commissioners of any county in the state of Kansas is hereby authorized and empowered in their discretion and by unanimous vote to pay a monthly pension, not to exceed fifty dollars per month, to any person over the age of twenty-one years, who has lost both hands or both feet, or both eyes, or otherwise wholly disabled from performing any manual labor and whose parents or near relatives are not financially capable of caring for them, provided such person has been a resident of the state of

Kansas for ten years, and of the county wherein such pension is applied for two years previous to date of application for pension, or was an actual resident of the state at the time such person became disabled.

19-245. Election Thereon. The board of county commissioners shall not grant any pension in excess of twenty-five dollars per month without first submitting the same to a vote of the electors of the county, and a majority of the electors voting on the proposition shall be sufficient to authorize the granting of the same. The question shall be submitted by printing on the ballot the names of the parties seeking a pension and amount to be paid monthly and the address of the person to receive the pension, with the words "for or against" as now provided in the General Statutes in the submission of questions to the people.

Passed 1911; amended 1913, 1915.

KENTUCKY

A blind relief law was introduced into the Kentucky legislature in 1922 by Mr. Charles B. Truesdell at the instance of the Kentucky Progressive Association for the Blind. Owing to the fact that this bill made it mandatory upon the counties to pay a \$300 relief to needy blind people, it met with considerable opposition from the representatives of the trachoma-infested counties of the mountain districts. For this reason its author felt it unwise to bring the bill to a vote.

In 1924 a bill *permitting* the counties to grant a relief "not to exceed \$250 per annum" was fathered by Mr. Truesdell in the Senate. This bill became a law on March 28, 1924.

The distinctive features of the Kentucky law are as follows:

- (1) The eye examinations are made by the county physician.
- (2) The investigations and awards are made by the county judge.
- (3) A needy blind person is one "destitute of useful vision," whose income from all sources is not in excess of \$400 per annum and who does not own property to the value of \$2500.

- (4) Recipients of this relief shall be residents of the state for at least ten years and of the county for at least five years.

During the fiscal year which ended June 30, 1927, 660 persons received relief under this law in the 102 counties of the

state which reported on this point, and the total amount of relief thus paid out was \$73,039.

ACTS OF THE GENERAL ASSEMBLY OF KENTUCKY,
1924—CHAPTER 18.

An Act to provide for the relief of the needy blind in the counties.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. That the fiscal court or county commissioners of each of the counties of the state may levy, collect and disburse such sums of money from the general funds of their county as may be necessary to comply with the provisions of this act.

Section 2. That each county may contribute to the support of the needy blind adults in the county a sum not to exceed \$250.00 per annum to each such needy blind adult, as herein provided, said sum to be known as The Blind Relief, and payable quarterly in equal installments due in the months of February, May, August and November, on the first day thereof.

Section 3. That before any person shall be entitled to the benefits of this act, such a person must have resided in the State of Kentucky, not less than ten years, and in the county of his residence not less than five years next before the application for relief is made. Such a needy blind person may thereafter file his application for relief in the office of the county court clerk, together with an affidavit sworn to by two reputable citizens of the county in which the applicant is a resident, in support of the facts contained in the application. The said county court clerk shall thereafter refer the applicant to the county or city physician, who shall diligently examine the eyes of the applicant, and report facts of the case to the county judge. If it is found that the applicant is destitute of useful vision, and otherwise eligible according to the provisions of this act, as determined by the county judge, such judge shall thereafter order the name of the applicant to be placed upon the list of the needy blind of his county.

Section 4. That no person shall be entitled to the relief herein provided, who is a professional beggar, or who by manual labor, or by his or her skill or knowledge, in any profession, trade or craft is able to earn any sum in excess of \$400.00 per annum, or who receives a pension from the United States or any state or foreign government, or from any source which, when added to his or her earnings, will exceed the sum of \$400.00, or who possesses property to the value of \$2,500.00 or more; or who has an

income from any source in excess of \$400.00 per annum, or who is an inmate of any state, county or charitable institution within this state or any other state as determined by the county judge to whom such application has been referred by the examining physician as herein provided.

Passed 1924.

LOUISIANA

In the law establishing the Louisiana State Board for the Blind, enacted July, 1928, is a provision for relief of the needy blind by the parish, this relief to be administered under the supervision of the State Board for the Blind.

LOUISIANA, ACTS OF 1928—No. 101

Section 6. That the Police Jury of each parish shall appropriate a sum not to exceed Three Hundred Dollars annually, payable in quarterly installments, for each needy adult blind person in the parish, provided that such person has been a resident of the State at the time of such appropriation for at least five years and a resident of the parish for at least one year, and provided further that such appropriation shall be recommended by the Louisiana State Board for the Blind after making investigation of each case applying for such relief; provided that no person shall receive a benefit or relief other than vocational training who has a father, mother, child, brother or sister, husband or wife, of sufficient ability to support him or her and who can be compelled or induced to support him or her, or who has a personal income of an amount equal to the amount of relief asked for.

Section 7. That a blind or partially blind person shall be deemed to be a "needy blind person" who, first, is sixty years of age or more; or second, who is mentally incapacitated or has such physical handicaps other than blindness as to make him or her incapacitated for any kind of vocation.

Passed 1928.

MAINE

The Maine blind relief law, like those of many other states, was the result of the efforts of blind people and their friends. William Ryan, William Lynch, Judge W. B. Hall, and others, formed the original legislative committee that drafted and lobbied this bill through the legislature. Petitions were circulated through-

out the entire state of Maine. Thousands of signatures were obtained and organizations, such as the Grange, were lined up in support of the measure. The law was passed by the Maine legislature the first time it was introduced. This accomplishment surprised even those most concerned with the work. The organization of blind people was wise in selecting Mr. Hall as an advocate of its cause, and unlike many similar organizations, it did not expect him to serve it entirely at his own expense.

The Maine law provides that a relief of not more than \$300 a year shall be paid to blind persons over the age of twenty-one who are unable to earn or obtain an income sufficient for their support. The amount of this relief shall be determined by the governor and council. A blind person is defined as one having less than one-tenth vision. The residential qualifications are ten years' continuous residence within the state prior to application for relief. Applications are made to the city, town or plantation clerk. These applications are transmitted to the town officers who make investigations as to need, residence, etc., and who employ a practicing physician to examine the eye condition of the applicant. These reports are then sent to the governor and council, where awards are made. Quarterly warrants are forwarded to the city, town or plantation treasurer, who distributes them to the blind recipients.

An interesting provision in this law is the one which expressly permits blind persons to receive the relief in order to leave a charitable institution. This clears up a point which is fruitful of much discussion on the part of those in charge of blind relief administration in other states. It is also interesting to note that the Maine law permits county authorities to grant additional poor relief supplementing the special blind relief, which in many instances is inadequate. Such grants are explicitly prohibited in the laws of several other states, which contain such clauses as "Such relief shall be in place of all other relief of a public nature."

Maine is a very satisfactory state in which to study blind relief administration. The centralized administration makes it possible to obtain exact information as to the amount of money expended, number of applicants relieved, number of applicants rejected, and other interesting statistical facts. As the relief has

been under the control of one man ever since the enactment of the first relief law, clearly defined policies have been established, and the executive in charge of this work has well-developed theories based upon years of experience. While the administration of the law is legally placed in the hands of the governor and council, it is, in practice, assigned to a sub-committee of the council, and by this committee in turn delegated in large measure to Mr. George W. Leadbetter, clerk to the governor, whose official designation is "messenger to the governor." Mr. Leadbetter has given much time and thought to the administration of this law, and is to be commended for the splendid records which he has kept of his work. Early in the operation of the law he and members of the governor's council gave considerable personal attention to the investigation of applicants. The records are so kept that Mr. Leadbetter can, with little difficulty, select the cards relating to individuals from any given district and take them with him whenever his duties call him into any part of the state where he feels dissatisfied with the reports rendered him by local officials.

Theoretically the Maine law utilizes in an admirable way the services of existing officials without placing on the taxpayers of the state any great financial burden for administrative purposes. The social workers and blind people of the state feel that in practice, however, investigations made by local officials are very unreliable. As the central state officer must depend in large measure upon the information furnished him by municipal officers he is at their mercy in the discharge of this branch of his duties. As has been pointed out in another part of this monograph (see page 18) the tendency of municipal officers is to render such a report as will secure for the local applicant favorable action of the governor and council. We are of the opinion that the governor and council could make more use than they do of the agents of local philanthropic organizations and the mothers' aid supervisors. It should be said, however, that a number of town officials take a deep interest in seeing that the blind relief is properly administered. Many of them and many other responsible local citizens act as trustees of the relief fund when it is apparent that unless outside help and counsel are afforded, the money is not likely to be used in a way best calculated to promote

the interests of the recipient. Sometimes this trusteeship is accomplished by action of the Probate Court, and sometimes relief is granted on the condition that the recipient accept the services of an unofficial trustee.

Maine is a difficult state in which to do much constructive work for the blind. The population is for the most part rural, so that the opportunities for employment in industrial concerns are few. Some of the men and women who are trained at the Maine Institution for the Blind are encouraged to set up businesses of their own in their home towns and are assisted in doing so by means of relief grants. This solution, however, is not a practical one for every blind person, even with the aid of relief funds.

The policy of the Maine relief administration is to give preference in the awarding of grants to aged and infirm blind persons and to persons having dependents. Here, as in other states, many of the recipients are dependent upon public charity not because of their lack of sight but because of old age and other infirmities. An interesting fact in connection with the blind relief administration in this state is that no applicant is ever refused; he is merely placed upon the deferred list. There is a limited amount of money available and those needing it most are served first.

The history of the Maine law affords many enlightening illustrations. From the United States Census returns it was estimated that not more than one hundred applicants for relief would be found. Only a few months passed, however, before the fallacy of this estimate was apparent. Between 1915 and 1919, 683 applications were received. Of these 389 were allowed relief, and 294 were placed upon the deferred list. In its original form the Maine relief law made a flat grant of \$200 to blind persons over the age of twenty-one who had an income of less than \$300 a year. This was amended the following year, making the amount discretionary up to \$200 and defining a needy blind person as one unable to earn or obtain an income sufficient for his support.

In 1921 the maximum amount which might be granted to any individual was raised to \$300. In 1927 the law was further

amended, permitting the cities and towns to grant additional aid to needy blind persons without creating any of the pauper disabilities so odious to self-respecting citizens.

The original draft of the Maine law contained no definition of blindness. As a result of confusion upon this subject, blindness was defined in an amendment to the law as less than one-tenth vision. Practicing physicians find it quite difficult to determine what constitutes one-tenth vision. The following reports, copied from Mr. Leadbetter's records, are interesting in this connection.

- (A)—6/1916 "Sees to get around on the land without assistance. Reads large figures on calendar— $\frac{3}{4}$ inch size—at close range."
- (B)—1916 "Was born suffering of an extreme case of strabismus of both eyes—The right eye is absolutely blind, the left is $\frac{1}{4}$ good. Not totally blind, but cannot see 5 inches in front of her." (After an explanation had been made to this doctor that the applicant must have less than one-tenth vision to obtain relief he reported as follows:)
- 1919 "She has only one eye that she can see a very little with to find her way in the daytime. I should say that the eyesight is about one-twentieth. Other eye is totally blind. She was born crooked eyes—Now she is about blind." (French Canadian doctor.)
- (C)—12/1916 "He had cataract on right eye—it was operated on two years last Nov. and taken out. He also had glaucoma of both eyes. He can see now with left eye only an object in front of him—can't distinguish anything—Sight in left eye is nine-tenths gone."
- (D)—12/1916 "One eye gone—enucleated—and other $\frac{3}{4}$ blind at least—perhaps more if put to a test. This man is very indigent and nearly helpless—sooner or later will have to be a town charge."
- (E)—1915 "This man has been practically blind from childhood. When of school age he was sent to school but had to be dismissed by 3 o'clock in the afternoon as he could then see only in a strong light."

- (E)—1918 "Nerve of eyes injured at time of birth by obstetrical instruments. Practically blind at night—a very bright day without assistance—hard to estimate to degree of blindness but he is blind enough to prevent him from earning a livelihood. Deserves this pension."

One of the best clauses in the Maine law is the requirement regarding investigation of applicants. This clause reads as follows:

Section 17. The municipal officers shall register the name, address, number, and the date of examination of each applicant, shall promptly make or cause to be made careful investigation by personally interviewing the applicant in his home, looking up his references, and pursuing such other sources of information as are available for the purpose of determining the truth of the statements contained in the application; and whether under all the circumstances, considering his own resources, and the ability of any member of his family to contribute to his support, the possibility of receiving aid from other relatives, the possibility of compelling contributions from any person under obligation to do so, under the provisions of chapter twenty-nine, Revised Statutes, and the possibility of the applicant receiving such education or instruction as will enable him to become at least partially self-supporting, the applicant is in need of a benefit under the provisions of this act, and if so, to what amount, and shall forward the application to the governor and council with their recommendations endorsed thereon.

This clause is worthy the attention of legislators in other states interested in blind relief.

The Maine law is very popular throughout the state. The tendency of the legislature has been to deal liberally in making appropriations for this purpose. The original appropriation was \$20,000 a year, and this was increased to \$40,000 and later to \$50,000. This gradual increase continued until, in 1927, \$100,000 was available for blind relief. Of this money \$95,061 was actually paid out to 592 recipients.

Perhaps the popularity of the Maine law may be traced in some measure to the constructive efforts of the active blind people of the state. They have been willing to support in a practical way all efforts to increase the appropriation, and they have not opposed measures recommended by the governor and council to improve the workings of the law.

REVISED STATUTES OF MAINE, 1916—CHAPTER 148
AS AMENDED BY CHAPTER 300 OF THE PUBLIC LAWS OF 1917,
CHAPTER 72 OF THE PUBLIC LAWS OF 1921, AND CHAPTER
164 OF THE PUBLIC LAWS OF 1927.

Section 11. The governor and council shall order paid, out of any funds appropriated for that purpose, such sums of money, toward the support of any needy blind persons, who may come under the provisions of the following sections, as may be required to carry out the provisions thereof.

Section 12. All persons over the age of twenty-one years, who are declared to be blind, in the manner hereinafter set forth, and who come within the provisions of the following sections shall, at the discretion of the governor and council, receive as a benefit not exceeding three hundred dollars a year, for their exclusive benefit and support, payable at the close of each regular quarter, upon warrants drawn on the treasurer of State. (*As amended 1921.*)

Section 13. No person or persons who are charges of any charitable or penal institution of this State or of any charitable or penal institution of any county, city or town thereof, no person or persons who are able to earn or obtain an income sufficient for their support, and no person who has not resided within the State of Maine continuously for ten consecutive years immediately before applying for said benefit shall be entitled to benefits under the provisions of the following sections: provided, however, that this section shall not be so construed as to exclude persons receiving pauper supplies or persons who may wish to leave any charitable institution in order to avail themselves of the provisions of this chapter. (*As amended 1917.*)

Section 14. Any person claiming the benefits provided herein may go before the city, town, or plantation clerk where he resides and make affidavit to the facts which bring him within the provisions of sections eleven to nineteen, both inclusive, of said chapter; said affidavit shall be deemed an application for said benefit; the clerk shall transmit the same, together with the affidavit of two witnesses having knowledge of the facts as to the places and periods of residence of said applicant, to the municipal officers of the city, town, or plantation in which said blind person resides. (*As amended 1917.*)

Section 15. The municipal officers of cities, towns, and plantations shall appoint a regular practicing physician whose official title shall be examiner of the blind, and said municipal officers shall promptly forward to said examiner all applications received

from the clerk of the city, town, or plantation where the applicant resides. (*As amended 1917.*)

Section 16. The examiner of the blind shall with reasonable promptness examine all applicants for said benefits referred to him by the municipal officers, and shall endorse on the applications certificates showing whether or not the applicant is blind, the word "blind" within the meaning of this act being construed as having less than one-tenth vision. He shall also state, as fully as his knowledge will permit, the cause of the blindness, or partial blindness, of the applicant, and the percentage of vision, if any, actually retained. He shall keep a register in which he shall enter all the facts contained in each certificate and shall forthwith return said application with his certificate thereon to the municipal officers from whom it was received. He shall be paid from the municipal treasury two dollars for each examination. (*As amended 1917.*)

Section 17. The municipal officers shall register the name, address, number, and the date of examination of each applicant, shall promptly make or cause to be made careful investigation by personally interviewing the applicant in his home, looking up his references, and pursuing such other sources of information as are available for the purpose of determining the truth of the statements contained in the application; and whether, under all the circumstances, considering his own resources, and the ability of any member of his family to contribute to his support, the possibility of receiving aid from other relatives, the possibility of compelling contributions from any person under obligation to do so, under the provisions of chapter twenty-nine, Revised Statutes, and the possibility of the applicant receiving such education or instruction as will enable him to become at least partially self-supporting, the applicant is in need of a benefit under the provisions of this act, and if so, to what amount, and shall forward the application to the governor and council with their recommendations endorsed thereon. (*As amended 1917.*)

Section 18. The governor and council shall prescribe such blank forms, and make such rules and regulations, not inconsistent with law, as they deem proper for carrying out the provisions of this act, shall review the evidence submitted to them under the provisions of the preceding sections, and shall determine what applicants are entitled to benefits, and the amount thereof, and the benefit shall begin on the first day of the month next succeeding the date on which the decision is made; they may at any time require a re-examination of any applicant or applicants; they shall cause warrants to be drawn upon the treasurer of State, payable to said blind persons or their legal representatives at the close of

each regular quarter thereafter, during the life of said persons while they are residents of this State or until said disability is removed. (*As amended 1917.*)

Section 19. Whoever makes a false affidavit in order to secure the benefit herein provided, shall upon conviction, be deemed guilty of perjury and shall be subject to the penalty provided by law therefor.

Section 20. Whenever the benefits granted by the governor and council under this act are insufficient, the cities and towns in which such persons reside may grant additional aid to such persons without creating any pauper disabilities, and the expense of such additional aid shall be borne by the cities and towns in which such persons respectively have a settlement. Cities and towns are hereby authorized to raise money for the purpose of granting such additional aid. Any blind person shall not acquire a settlement or be in process of acquiring a settlement while receiving such aid from his city or town. (*As amended 1927.*)

Passed 1915; amended 1917, 1921, 1927.

MASSACHUSETTS

The Massachusetts law was passed in 1920. This is a very brief amendment broadening the powers of the Division of the Blind to enable it to extend monetary relief to those for whom, in the opinion of the Director, such action seems necessary. The amount of relief is not fixed by law, although the Division has made a regulation that it shall not exceed \$30 a month.

This law has been administered with great care. The grants are made in such a manner as to further the general rehabilitation plan for the individual, which the agents of the Division for the Blind in charge of the case have worked out. The relief has been handled in a way which spares the recipient the humiliation so frequently associated, particularly in the smaller communities, with the receiving of such aid from the usual relief-giving agencies.

During the fiscal year ending November 30, 1927, there were 705 individuals who received financial assistance from the Division of the Blind and the total expended for such aid for the year amounted to \$125,801.

GENERAL LAWS OF MASSACHUSETTS, 1921

CHAPTER 69

Section 23. The director may ameliorate the condition of the blind by . . . aiding individual blind persons with money or

other assistance, or by any other method he may deem expedient; provided, that he shall not undertake the permanent support or maintenance of any blind person.

Passed 1920.

MINNESOTA

In 1923 the Minnesota legislature passed a law establishing a state Division for the Blind and authorizing (in the sections quoted below) the payment of relief to the needy blind by this state agency. For the fiscal year ending June 30, 1927, \$32,221 was expended for this purpose, 185 persons receiving the relief.

The most serious difficulty connected with the administration of this law is that of securing an appropriation of sufficient magnitude to enable the Division to grant anything approaching adequate relief to all of the applicants deserving such aid. Its central administration, however, does permit the agents of the Division to use the relief as one factor in a constructive program of rehabilitation.

LAWS OF MINNESOTA, 1923—CHAPTER 336

An Act to amend Chapter 488, General Laws of Minnesota for 1915, as amended by Chapter 346, General Laws of 1917, as amended by Chapter 24, General Laws of 1921, relating to an agency for the blind, and providing also for carrying on the work in counties having a population of over 150,000 and an assessed valuation of over \$300,000,000 exclusive of money and credits.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. (e) The Board shall further be empowered to aid the blind . . . (4) by care and relief for blind persons who are not capable of self support and in any other practicable means of alleviating their condition.

Section 2. (Omitted.)

Section 3. The care and relief authorized in subsection (e) of *Section 1* of this act to be given by the Board shall be paid only from funds appropriated specifically for such purpose. Such care and relief shall be given only to blind persons who meet all of the following requirements: (1) are citizens of the United States at the time of application for such care and relief; (2) have become blind while legal residents of this State or were either legal residents of this state prior to Jan. 1, 1920, and continuously thereafter, or have been legal residents of this state for a period of five years immediately preceding the date of such application; and (3) are unable by any occupation or through lawful income of any kind to provide themselves with the neces-

saries of life. No payments of moneys shall be made under this section for the care and relief of any blind person who solicits alms, or who is an inmate of a public institution, or who is an inmate of a charitable institution supported without charge to such a blind person, or who has for five years preceding loss of sight been dependent upon public relief. "Provided, further, that nothing in this act shall be construed to repeal or render void so far as blind persons are concerned any existing statutes which create or define a liability on the part of relatives to support poor persons." Provided also that where any marriage is contracted between two blind persons after the passage of this act, the maximum paid under this section for their joint care and relief shall not exceed the sum of thirty (30) dollars monthly.

For the purposes of this section a blind person shall be one who with the help of eye glasses or other resources has not sufficient ocular power for the ordinary affairs of life or in particular for the performance of tasks for which eyesight is essential.

The Board of Control shall have power to adopt additional rules relating to care and relief for the blind.

Passed 1923.

MISSOURI

In the autumn of 1912 an organization known as the United Workers for the Blind of Missouri was formed, which had as its principal object the securing of the passage of a blind pension law in the state of Missouri. At the instance of this organization a resolution was passed by the Missouri state legislature presenting to the people of the state the proposal to amend the state constitution so as to make valid a pension for the blind.

In the fall of 1914 the proposed amendment was defeated at the polls by a small majority. In the following year the United Workers for the Blind of Missouri again induced the legislature to pass a resolution placing a similar amendment upon the ballot to be voted upon at the November, 1916, election. This amendment was carried by a large majority.

In 1917 with the co-operation of the Jefferson City Association for the Blind, the United Workers for the Blind pushed through the legislature a bill granting a state pension of \$180 a year to the deserving blind of the state. This bill, however, was vetoed by Governor Gardner upon the grounds that the state funds were inadequate to undertake such an expenditure.

Nothing daunted, the supporters of the measure again renewed their efforts in 1919 and induced the legislature to pass a similar pension bill. This, however, was again vetoed by Governor Gardner upon the same grounds of lack of funds. An attempt was made to pass the bill over the Governor's veto. It passed the lower house by a large majority, but the Governor's friends prevented it from coming to a vote in the Senate.

At the same session of the legislature a resolution was passed by a unanimous vote of both houses, placing upon the ballot another constitutional amendment providing an annual tax not to exceed three cents on the hundred dollars valuation of property for the purpose of pensioning the deserving blind, and further providing that if any balance existed after the deserving blind had been pensioned it might be used for the adequate support of the State Commission for the Blind, and providing also that if there should still exist a balance after the needs of the pension fund and the Commission were met it should be transferred to the public school fund. This amendment was carried at the polls in November, 1920, and eliminated the objection based upon the lack of funds.

In 1921 a law was enacted granting to blind persons who had certain qualifications (including an income of less than \$600 a year), a pension of \$25 a month. Blindness was defined as "less than 20/450 vision." Within two years Missouri had upon its pension roll about 6,600 persons, a number far beyond that anticipated when the law was passed. Probably the excessive magnitude of the number of recipients was caused by undue leniency on the part of those administering this fund. At the time, however, the principal cause was thought to lie in the definition of blindness which, it was felt, was not sufficiently restricted. Accordingly, in 1923 this law was entirely superseded by a new act which restricted recipients to those having "vision not greater than what is known as light perception." "Light perception" has since been defined in the law to mean "not more vision than is sufficient only to distinguish light from darkness and recognize the motion (not the form) of the hand of the examiner at a distance not greater than one foot from the eye." This change in the definition of blindness automatically disqualified a large percentage of persons on the pension roll.

The 1923 enactment, however, provided also for appeal from the decision of the Commission to the Circuit Court. Under this provision, applicants who had been refused the pension because, according to the doctor's testimony, they had vision "greater than light perception," could appeal to the Circuit Court. In many cases the Court granted such appeals and placed the applicants on the pension roll in spite of the doctor's findings.

As a result of this experience the law was amended in 1925 to read: "Any person claiming the benefits of this act who is aggrieved by the action of the Commission for the Blind as to his or her property or income, residential or moral qualifications to receive the benefits of the act, may appeal from its decision to the Circuit Court," thus placing the question of amount of vision outside the jurisdiction of the courts.

In the fall of 1925, the Missouri Commission for the Blind inaugurated a drastic reform in the administration of the pension law. As a result several hundred persons were removed from the list, among them many of those who had been placed on it by the Circuit Court in the manner just described.

The revision of a list of pensioners is one of the most difficult and unpleasant tasks which a social worker is called upon to undertake. A person who is placed upon the pension list without due grounds often comes to depend upon this income and frequently loses support from relatives and friends. Then, when the case is reopened, it is deemed necessary or advisable to continue him as a pensioner, although a little care and firmness in the first place would have prevented him from ever becoming a public charge. If administrators of relief would realize this fact, the taxpayers would be saved thousands of dollars, and many unfortunate individuals would be spared disappointment and anxiety.

The Missouri law has other interesting characteristics worthy of mention. It is one of the three laws in which this relief is termed a "pension." In most states a pension to a special class would be contrary to the Constitution, but the amendment to the Missouri Constitution, passed in 1916, has eliminated this obstacle. The difficulty of securing an adequate appropriation for the state pension fund has been overcome by providing for a special state tax levy to be used for this purpose.

Another interesting feature of the law is the participation of the courts in its administration. While the fund is handled primarily by the State Commission for the Blind, application may be made to the Circuit Court and appeals from the action of the Commission may be taken to the same court, as noted above.

A third point to be noted is that among those disqualified from benefit under the act are those "publicly soliciting alms." This is a reflection of the attitude of the blind people of Missouri toward the street mendicant.

The administration of the law by the State Commission for the Blind gives uniformity of treatment throughout the state and makes possible a constructive program on the part of all the agencies dealing with the blind. Unfortunately, however, the pensioners and their friends have not hesitated to resort to political measures to influence the administration's course of action, thus necessitating the most fearless conduct on the part of those whose job it is to weigh properly the interests of the blind people and the taxpayers.

The Missouri law is an illustration of the unfortunate extremes to which legislators will go when seeking to build up legal safeguards against maladministration. The definition of blindness as "vision not greater than light perception" has undoubtedly worked hardship on many persons who are for all practical purposes economically and vocationally blind. If the services of our State Commissions for the Blind were to be limited to persons having not more than light perception it would be found that their lists of clients had been reduced by perhaps more than fifty per cent. Most of the state commissions and associations for the blind define blindness as "vision less than one-tenth of normal." The restricted definition of Missouri's statute is due to the efforts of the legislators to protect the state against exploitation by persons whom the law was never intended to benefit. Had adequate protection been afforded in the act as originally passed by a provision for proper administration, the drastically restricted definition would never have been made.

In spite of this restriction, however, Missouri affords a conspicuous example of what can be accomplished by the blind in their own behalf when they organize and keep up a persistent fight for what they feel to be their just deserts. In 1927 the

state of Missouri expended \$988,425 for pensions to the needy blind and 3,158 persons received this aid. This is the greatest amount expended by any state in the Union in any one year for relief to the needy blind. If the blind people and their friends wish to hold Missouri in this honored position it behooves them to guard the law against maladministration and imposition, for only in this way can they protect the pension from an ill-considered assault by some economy enthusiast in the legislature or some "reform" governor who desires to make a reputation as a "watchdog of the public treasury."

LAWS OF MISSOURI, 1923

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section 1. Every adult blind person, twenty-one years of age or over, of good moral character, who shall have been a resident of the state of Missouri for ten consecutive years or more next preceding the time for making application for the pension herein provided, and every adult blind person, twenty-one years of age or over, who may have lost his or her sight while a bona fide resident of this state and who has been a continuous resident thereof since such loss of sight, shall be entitled to receive, when enrolled under the provisions of this act, an annual pension as provided for therein, payable in equal quarterly installments; provided that no such person shall be entitled to a pension under this act who has an income, or is the recipient, of six hundred (\$600.00) dollars or more per annum from any source whatever, or who owns property, or has an interest in property to the value of five thousand (\$5,000.00) dollars or more, or who lives with a sighted husband or wife who has an income or is the recipient of six hundred (\$600.00) dollars or more per annum from any source whatever or has property or an interest in property to the value of five thousand (\$5,000.00) dollars or more, or who has a parent or parents, resident in this state who upon the investigation of the commission may be found to be able to provide for the reasonable support of such applicant; and provided further, that blind persons who are maintained in either public, private, or endowed institutions, or by private persons who would otherwise be entitled to a pension under this act, shall not be entitled to the benefits of this act; and provided further that no blind person shall be entitled to the benefits of this act while confined in any jail or penitentiary under conviction of any offense or while publicly soliciting alms in any manner or through any artifice in any part of this state or while confined in any insane

asylum at the expense of the state or any county or municipality thereof.

Section 2. No person shall be entitled to a pension under this act who has vision with or without proper adjusted glasses greater than what is known as light perception; that light perception as used in this section means not more vision than is sufficient only to distinguish light from darkness and recognize the motion (not the form) of the hand of the examiner at a distance not greater than one foot from the eye; and no person shall be entitled to receive a pension except upon scientific vision test supported by the certificate of a competent oculist, approved by the commission, that such person does not possess a greater vision than that provided above in this section; and every person passing the vision test and having the other qualifications provided in this act shall be entitled to receive a pension of three hundred (\$300.00) dollars per annum, payable quarterly. (*As amended 1925.*)

Section 3. This act shall not be so construed as to grant the benefits thereof to any blind person between the ages of twenty-one (21) and fifty (50) years who has no occupation and who, being both physically and mentally capable of some useful occupation or of receiving vocational or other training, who refuses, for any reason, to engage in such useful occupation or to avail himself or herself of such vocational or other training; provided, that the commission is hereby empowered to grant its certificate admitting to the pension roll any applicant, otherwise qualified for a pension who signifies his or her willingness and readiness to enter upon a course of vocational or other training; but in the event any such person fails for more than a reasonable time to enter upon such course of training, without good cause, upon recommendation of the commission the state auditor shall strike the name of such person from the blind pension roll.

Section 4. Any person who desires the benefits of this act shall apply to the judge of the probate court within his or her county or city or to the commission for the blind, who, if satisfied that the applicant comes within the provisions of this act, shall grant to the applicant a certificate of such fact and the certificates granted by the probate judges shall be certified to the Missouri commission for the blind at its office in St. Louis, Missouri, which shall consider the merits of such application and if approved by the commission, it shall certify same to the state auditor. All pensions payable under this act shall begin on the date of the filing of the application therefor before the probate judge or the commission, as may be. And whenever it shall become known to the commission that any person whose name is on the blind pension roll is no longer qualified to receive a pension, after reasonable notice mailed to such person at his or her

last known residence address such fact shall be certified to the state auditor and the name of such person shall be stricken from the blind pension roll; provided further any person who shall by gifts, secret disposition, or other means dispose of any property in his or her possession in order to become wholly or in part within the provision of this act, shall be deemed guilty of a misdemeanor.

Section 5. It shall be the duty of the commission for the blind to prepare suitable blank application forms for the use of blind persons in making applications for pensions, which shall contain such questions for applicant to answer and other matter as the commission may deem appropriate to the end to be accomplished. All statements of an applicant contained on such application form shall be verified by the applicant and shall also be supported by the certificates of two disinterested and responsible householders of the county wherein applicant resides, who have known applicant for not less than two years next prior to date of such application, that such statements are true.

Section 6. It shall be the duty of the commission for the blind to make such regulations relative to the examination of applicants for pension, including the examination by the oculist and of all matters deemed necessary connected with the administration of this act. The examination and certificate of the oculist shall not exceed \$5.00 for each applicant, together with such expense as may necessarily be incurred in making examination where same is not made in his office; such fee and such expense shall be paid by the commission for the blind; but in case the applicant, concerning whom the expense was so incurred, shall subsequently receive a pension, the amount of such expense and fee for examination shall be deducted from the first pension received by applicant and upon proper voucher and requisition by the commission, the state auditor shall issue a warrant to the commission in reimbursement of same. The examining oculist shall state in his certificate (1) the amount of vision in each eye, (2) the cause of blindness, (3) the possibility of curing same by treatment or operation, (4) the physical and mental condition of applicant and such other matter as may be deemed by the commission of value in dealing with matters coming within its authority. No person shall be entitled to the benefits of this act who shall refuse to submit to treatment or operation to effect a cure when recommended by the examining oculist and approved by the commission; but upon submission to such treatment or operation the pension of applicant, otherwise entitled thereto, shall be paid as in other cases.

Section 7. The state auditor shall supply to all persons appearing upon the blind pension roll, suitable blank forms for

quarterly requisitions for pensions containing, among other things, a statement that requisitioner is the recipient of the pension personally and that he or she, has the free and full use of such pension, and that the same is devoted exclusively to his or her needs, giving present address; and each pensioner shall forward each requisition for pension last accrued to the state auditor who shall draw his warrant, in favor of such pensioner upon the state treasurer for any moneys in the treasury available therefor and forward same to pensioner or legal guardian thereof at such post office address; provided, that where such pensioner is under legal guardianship, such requisition may be made by the guardian; and in case any pensioner should die, having any accrued and unpaid pension, the amount thereof shall be paid to the legal representative of such pensioner; and in case any pensioner should abandon his or her residence in this state, having an accrued and unpaid pension, upon requisition, as herein provided, such unpaid amount shall be forwarded to the address of such pensioner or the legal guardian thereof.

Section 8. The state auditor shall place the names of all persons certified to him for a pension under this act upon a record to be kept in his office to be known as the "blind pension roll" which shall contain also the residence, post-office address, date upon which the application for pension was filed with the judge of the probate court or commission for the blind, and the date the certificate was received by the state auditor; and the name of any person appearing upon the said blind pension roll shall be prima facie evidence of the right of such person to the pension herein provided.

Section 9. Any person claiming the benefits of this act who is aggrieved by the action of the commission for the blind as to his or her property or income, residential or moral qualifications to receive the benefits of the act, may appeal from its decisions to the circuit court of his or her judicial circuit within ninety days from the decision complained of, by giving the commission notice of such appeals; such appeal shall be had and tried in the circuit court de novo as appeals from decisions of justices of the peace, and the judgment rendered thereupon shall be final; and if such judgment be in favor of appellant a certified copy of same shall be mailed to the Missouri commission for the blind at its office in St. Louis. (*As amended 1925.*)

Section 10. It shall be unlawful for any person, organization, society, group or association to request, require, coerce, solicit or induce any pensioner under this act to contribute, donate, give, allot or part with, unwillingly, for any purpose whatever, any moneys received as a pension under this act; and any person, agent or representative of such organization, society, group or

association who commits any such act or acts shall be guilty of a misdemeanor; and it shall be the duty of the commission for the blind to investigate all such cases coming to its attention and report same to the proper authorities.

Section 11. In accordance with an amendment to section 47 of article IV of the Constitution of the state of Missouri, adopted by the qualified voters of the state on November 2, 1920, there is hereby levied during each year until otherwise ordered by the general assembly an annual tax of three cents (3c.) on each one hundred dollars (\$100.00) valuation of taxable property in the state of Missouri to provide a fund out of which shall be paid the pensions for the deserving blind as herein provided. Said tax shall be collected annually at the same time and in the same manner and by the same means as other state taxes are now collected. Said tax, when so collected, shall be paid into the state treasury to the credit of the blind pension fund, out of which fund shall be paid the pension as herein provided or as may be hereafter from time to time provided by the general assembly. If at the end of any one year there shall be a balance in the pension fund in the treasury after the pensions for such year have been paid, the same shall be available so far as may be needed therefor for the payment of pensions for the succeeding year, and pensions may be paid from such balance on the warrant of the state auditor, as in other cases. (*As amended 1925.*)

Section 12. The taxes hereby levied shall begin with the year 1925 and shall be levied and collected annually thereafter as herein provided. (*As amended 1925.*)

Section 13. (Repealed 1925.)

Section 14. Any person or persons found guilty of violating any of the provisions of this act shall be deemed guilty of a misdemeanor; and any person who shall willfully and fraudulently violate any of the provisions of this act for the purpose of obtaining any benefits thereunder, to which such person is not entitled, shall, in addition to the penalties otherwise provided herein, forfeit all right to future benefits hereunder.

Section 15. An act entitled "An act to provide pensions for the deserving blind, and the means of determining the identity of the person entitled to the same; and defining what shall constitute blindness according to this act. Duties of the state auditor herein defined and providing for appeal from actions of judge of the probate court. Providing for means of payment of same by the state, with an emergency clause," appearing in laws of Missouri, 1921, on pages 554 to 557, inclusive, approved March 29, 1921, is hereby repealed. All laws or parts of laws in conflict herewith are hereby repealed.

Passed 1923; amended 1925.

NEBRASKA

The Nebraska blind relief law was passed in the spring of 1917. The enactment of this law was secured through the joint efforts of a group of members of the Nebraska Association for the Blind and a body of influential business men who became interested in this cause. The law permits counties to pay a relief not to exceed \$300 a year to blind persons having an income of less than \$300 a year.

Unfortunately, many of the counties of the state have not taken advantage of this legislation. This is owing to two circumstances; first, that the granting of relief under this statute is permissive rather than mandatory, and second, that no organized effort has been made in many of the counties to secure an appropriation for blind relief purposes when the budget for the year is being made up. This could probably be overcome in many instances by bringing the need of an appropriation for this purpose to the attention of the county commissioners in an impersonal way at the time when the funds for other county activities are being provided.

A clause of special interest in this law is the definition of blindness which has been discussed on page 22.

In most of the counties of the state granting blind relief, applications are received by the prosecuting attorney and presented to the juvenile court officials, who have charge of the mothers' pension. Investigations are made by an agent of this department and the report is submitted to the county commissioners who pay the award recommended without further question. In most instances, however, the amount paid is less than the legal maximum of \$300 a year.

The total number of recipients of blind relief reported by the various counties for the year ending June 30, 1927, was 152 and the total amount thus expended was \$31,175.

LAWS OF NEBRASKA, 1917—CHAPTER 171

An Act to provide for the relief of worthy blind in the counties.

Be it enacted by the People of the State of Nebraska:

Section 1. Blind—county aid to. The county board of every county may contribute such sums of money from the general fund of the county toward the support of every worthy blind person

free from vicious habits, as hereinafter provided, except in such counties as contain a state school for the blind, then in that case said county shall in no case be held for the hereinafter aid to any such person who has been drawn to such county by virtue of the aforesaid state school for the blind being located therein.

Section 2. Who entitled to aid. That all male blind persons over the age of twenty-one years, and all female blind persons over the age of eighteen years, who are declared to be blind in the manner hereinafter set forth, and who come within the provisions of this act, may receive such an amount as said county board may deem right as a benefit not to exceed \$300.00 per annum, payable quarterly upon warrants properly drawn upon the treasurer of the county of which such person or persons are residents. To be blind within the provisions of the act, the person must be destitute of useful vision.

Section 3. Said blind person must be resident of this state at the passage of this act, or become a resident of the county for one year and of the state five years, before entitled to said benefits. Any person who has an income of less than three hundred dollars per annum, and who is destitute of useful vision so as to be incapacitated for the performance of labor, rendering such person incapable of earning a support, is entitled, upon proper proof, to the benefits of this act.

Passed 1917.

NEVADA

The Nevada blind relief law was passed by the State legislature in 1925, the vote in its favor being unanimous. This happy result was due largely to the efforts of a blind woman, Miss Hazel Piper, who enlisted the interest of the legislators in the cause of the blind. Mr. William S. Boyle, District Attorney of Storey County, lent able assistance in framing the bill which was modeled on the California relief law.

The Nevada act permits a maximum payment of \$25 per month to each recipient but some counties, sparsely populated and already carrying heavy tax burdens, have not been able to pay this maximum. In 1928 about eight persons were receiving \$20 to \$25 each under this law.

STATUTES OF NEVADA, 1925—CHAPTER 32

An Act to provide a relief fund in the several counties of the State of Nevada for the needy blind; providing for and prescribing the powers and duties of boards of county commissioners in every county.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Section 1. The boards of county commissioners of the several counties in the State of Nevada are hereby authorized and permitted to levy, in addition to the taxes now levied by law for other purposes than these herein provided, a tax not exceeding one mill per dollar on the assessed value of the property of their respective counties to be levied and collected as now provided by law for the assessment and collection of taxes, for the purpose of creating a fund for the relief of the needy blind of their respective counties.

Section 2. A needy blind person shall be construed to be any person who, by reason of loss or impairment of eyesight, is unable to provide himself, or herself, with the necessities of life, and who has not sufficient means of his or her own to enable him or her to maintain himself or herself.

Section 3. A needy blind person in order to receive relief under this act, must be a resident of this state at the time this act takes effect, or become blind while a resident of this state, and shall be a resident of the county one year next preceding the date of the application provided for herein.

Section 4. All persons claiming relief under this act shall file, at least ten days prior to action on said claims, with the clerk of the board of county commissioners, a duly verified statement of the facts bringing him or her within the provisions of this act. The list of claims shall be filed in the order of filing in a book furnished for that purpose with the board of county commissioners and which record shall be open to the public. No certificate for drawing money under this act shall ever be granted until the board of county commissioners shall be satisfied, from the evidence of at least two respectable and reputable citizens, residents of said county, one of whom shall be a duly and regularly licensed practicing physician, that they know the applicant to be blind, or whose eyesight is so impaired as to come under the provisions of this act, and that he or she has the residential qualifications to entitle him or her to the relief asked for, which evidence will be in writing, subscribed by such witnesses, subject to the right of cross-examination by the board of county commissioners or other persons. If the board of county commissioners is satisfied upon such testimony that the applicant is entitled to relief thereunder, they shall issue an order therefor, in such sum as they find necessary, not to exceed three hundred dollars per annum, to be paid quarterly out of the fund herein provided for on the warrant of the county auditor, and such relief shall be in lieu of any other relief of a public nature.

Section 5. The board of county commissioners shall annually examine as to qualifications of any one on the blind list and increase or decrease the allowance within the statutory limits, or if said board is not satisfied that any person so on the list is qualified to draw any money said board shall entirely remove him or her from the list and shall forthwith notify the auditor of such action.

Section 6. The board of county commissioners shall at each regular meeting inspect all applications on file with the clerk of the board.

Section 7. Any person who shall make any false statement in order to secure for himself or herself, or another, the benefit herein provided, shall be guilty of perjury.

Section 8. It is hereby declared to be the duty of the board of county commissioners in each county to adopt such rules and regulations to carry into effect the aims and purposes and objects of this act. It shall be competent for the board of county commissioners herein to appoint such person or persons, from time to time, to act for such board in carrying out the object or objects and purposes of this act, as may appear necessary.

Passed 1925.

NEW HAMPSHIRE

The New Hampshire Blind Relief Law authorized the county commissioners to make an allowance of not more than \$150 a year to any needy blind person. This bill was enacted in 1913 through the efforts of Henry Van Vliet, a blind man who was a member of the lower house of the New Hampshire Legislature. Mr. Van Vliet seems to have had little difficulty in getting the bill passed. By quick action it was introduced and put through both houses before the watchdogs of the county treasuries could rally to oppose it.

The bill copied in the main the relief law in effect in Ohio at the time. The principal modifications were the omission of the provision for a special levy for blind relief purposes and the requirement that the relief be paid quarterly. The special levy was omitted to allay opposition, as it was believed that the county commissioners could be induced to find the necessary funds to carry out the law.

In 1917 the law was slightly amended to permit persons to draw the relief if they had proper residential qualifications even though they might have lost their sight prior to coming to New Hampshire. Certain minor changes in the wording of the act were made at the time of the recodification in 1925, but its import was not altered. The author of the bill seems to have been correct in his assumption that the counties would find the funds with which to put the law into operation, and no county has failed to respond to the applications of needy blind residents. Unlike other states, New Hampshire makes the payments of relief monthly rather than quarterly.

The special relief law was welcomed by the indigent blind of New Hampshire, as it spares the recipients the humiliation of the pauper act by specifying that this aid shall be in place of aid by the overseer of the poor. In some cases an overseer of the poor or a county commissioner has acted as unofficial trustee of the blind relief funds granted certain individuals, when it appeared that otherwise the money would not be used for the best interest of the recipient.

According to Mr. Henry Van Vliet there are in New Hampshire about 456 blind or near-blind persons, of whom 110 are receiving relief, aggregating approximately \$15,400 annually. In addition to this, 104 persons were in 1927 receiving aid to the amount of \$3573 from the Nesmith Fund. The Nesmith Fund is an endowment established by a private individual for the aid of the blind and administered by state authorities.

While the state has no legal supervision over the dispensing of the county blind relief, the Home Teacher working under the State Board of Charities has had much influence in securing wise county administration of this aid. The New Hampshire situation is interesting to the student of blind relief legislation as a practical example of what can be accomplished by tactful, earnest and wise state supervision of county administration.

It is to be hoped that New Hampshire will seriously consider the advisability of falling in line with other states and will adjust its maximum annual grant in such a way as to bring the amount of the relief more into proportion with the increase in cost of living since 1915.

PUBLIC LAWS OF NEW HAMPSHIRE, 1925

CHAPTER 115

9. *Beneficiaries.* Any person who, by reason of loss of eyesight, is unable to provide himself with the necessities of life, who has not sufficient means of his own to maintain himself, and who, unless relieved as authorized herein, would become a charge upon the public or upon those not required by law to support him, shall be deemed a needy blind person.

10. *Residence.* In order to receive relief under these provisions, a needy blind person shall be a resident of the county for one year and of the state for five years.

11. *Applications.* At least ten days prior to action on any claim for relief hereunder, the person claiming shall file with the county commissioners a duly verified statement of the facts bringing him within these provisions. The list of claims shall be filed in the order of their reception in a book kept for that purpose, which record shall be open to the public.

12. *Certificates.* No certificate of qualification to draw money hereunder shall be granted until the applicant has filed a signed statement of at least two reputable residents of the county, one of whom shall be a registered physician, that they know the applicant to be blind and that he has the residential qualifications to entitle him to the relief asked, nor until the county commissioners are satisfied from such statements and upon such further examination as they may make that the claim is well founded.

13. *Relief.* If the county commissioners are satisfied that the applicant is entitled to relief hereunder they shall furnish aid to him in such sum as they find needed, not to exceed one hundred and fifty dollars a year, to be paid from the county treasury, and such relief shall be in place of all other relief of a public nature.

14. *Operations; treatment.* If the county commissioners, in the examination of the qualifications of any person filing a claim for relief hereunder, or who may have been allowed such relief, shall determine upon the evidence of a registered physician and surgeon that the person might have such disability benefited or removed by proper surgical operation or medical treatment, and he files his consent in writing thereto, the county commissioners may expend for the purpose of such operation or treatment all or any portion of the relief which they might award to him for one year; and in such case they shall pay the sum so awarded to the persons entitled to compensation for such operation or treatment, instead of to the person entitled to relief.

15. *Annual examination.* The county commissioners shall make examination annually as to qualifications of anyone receiving

such aid, and increase or decrease the amount within the limits herein prescribed. If not satisfied that the person is qualified to receive aid, they shall remove such person from the list.

16. *Modifications.* The county commissioners may, at any time during the year, inquire into the qualifications and examine as to the disability and needs of, any person theretofore placed on such list; and in case they find that he is not qualified to draw further relief, or that such disability has been removed in whole or in part, they may, at any time thereafter during such year, modify or change the amount theretofore found necessary for relief, or remove such person from such list.

17. *Perjury.* Whoever, to secure for himself or another the benefit provided in this chapter for needy blind persons makes a false statement shall be deemed guilty of perjury.

Passed 1913; amended 1917.

NEW JERSEY

The New Jersey law was drawn by the New Jersey Commission for the Blind and passed the legislature in 1921. It was slightly amended in 1922 in order to bring it into harmony with certain procedures in the operation of the Poor Law of the state. In 1923 a minor correction in its language was made. This law authorized the State Commission for the Blind to extend relief to needy blind persons over twenty-one years of age to an amount not exceeding \$300 to any individual in any one year. This relief is paid directly by the state, but requisition is made upon the counties for reimbursement to the state of the amount so expended.

The New Jersey law has several interesting features. The administration of the relief is given uniformity throughout the state by placing it under central control. Intelligence of administration is obtained by placing it in the hands of that agency in the state which has had most experience in dealing in a constructive way with needy blind people. The application of the law, however, is kept within local control by requiring all awards to be approved by the Judge of the Court of Common Pleas of the county in which the applicant resides. By distributing the charges for this relief among a large number of counties, each of which has a comparatively small amount to provide, the New Jersey plan obviates the necessity of going to the State Legislature annually for a large appropriation for relief purposes. The

appropriation by the state for such purposes consists simply of the maintenance of a revolving fund from which relief is drawn pending reimbursement by the counties. This is a plan which might well be considered for adoption by state agencies which, charged with the administration of blind relief, find it next to impossible to secure from their legislatures appropriations sufficient both to pay adequate relief and to meet the other expenses of their work.

Other features of the New Jersey law worthy of note are the discrimination against blind couples marrying after the passage of the law, the prohibition of payment of aid from the Blind Relief Fund to persons who were public charges before loss of sight, the explicit authorization of the appointment of trustees (Sec. 11), the exclusion of mendicants from the benefits of the law and the authorization of the payment from the Relief Fund of an amount not to exceed \$400 in any one year to any individual for vocational education purposes.

This law has from its inception been carefully and intelligently administered and the aggregate annual amount has therefore been kept within very reasonable proportions. At the same time the needs of the blind people have been well met so far as is possible within the \$300 maximum. The total expenditure for relief in the year ending June 30, 1927, was \$20,207, the number of recipients being ninety-four.

PUBLIC LAWS OF NEW JERSEY, 1921—CHAPTER 231

AS AMENDED BY THE LAWS OF 1922 AND 1923

A Supplement to an act entitled "An act concerning the charitable, hospital, relief, training, correctional, reformatory and penal institutions, boards and commissions located and conducted in this State, which are supported in whole or in part from county, municipal or State funds," approved February twenty-eighth, one thousand nine hundred and eighteen.

Be it enacted by the Senate and General Assembly of the State of New Jersey:

1. The board of managers having in charge the work of ameliorating the condition of the blind, as provided for in the act of which this act is a supplement, shall in addition thereto be possessed of the powers and charged with the duties in this act enumerated. (*As amended 1923.*)

2. Any person of either sex, above the age of twenty-one years, who by reason of blindness is unable to earn sufficient money to provide for the necessities of life, and who has no relatives or other person able to provide and who is legally responsible for his or her maintenance, and who, if not relieved, would become a public charge to the community, is a proper person to make application to the State Board of Control of Institutions and Agencies of the State of New Jersey, having in charge the work of ameliorating the condition of the blind for the relief granted by this act. Any person making application under the terms of this act shall first have been a resident of this State for not less than five consecutive years immediately prior to the making of such application.

Whenever any one deemed a proper person to make application for relief as provided for in this act, shall make application to the State Board of Control of Institutions and Agencies, the said State Board shall fully establish the facts as set forth in the petition and as outlined above, as well as other facts it deems necessary, including the legal settlement in any county of the State of New Jersey, the said State Board may then present a petition to the Court of Common Pleas of such county for relief for the person named in the petition in order that the State Board of Control of Institutions and Agencies may ameliorate the condition of the blind person named, in the manner set forth in this act, but the sum asked for or granted shall not be in excess of three hundred dollars (\$300) in any one year.

The judge of the Court of Common Pleas to whom petition is presented may in his discretion order the State Board of Control of Institutions and Agencies to produce further proof and testimony, or may order the person for whom the petition is made and the petitioner to appear before him or his representative appointed to act with the State Board of Control of Institutions and Agencies in establishing the facts set forth in the petition. Whenever said facts set forth in petition shall have been fully established, the court shall order relief in the amount provided by law, that is, not to exceed the sum of three hundred dollars (\$300) in one year.

All relief granted under this act is granted with the understanding that the amount is to be available only for the use of the State Board of Control of Institutions and Agencies, which shall expend it only on behalf of the person named in the petition and for whom the relief is granted. (*As amended 1922.*)

3. No person shall be eligible to the relief granted by this act who is suffering from mental or physical infirmity, which, in itself, would make him or her a charge upon any other institution or agency of this State, and which has so incapacitated him

or her, prior to the loss of sight, that such person was a public charge prior thereto; and further providing, no person shall be eligible to this relief while publicly soliciting alms in any part of this State. The term "publicly soliciting" shall be construed to mean the wearing, carrying or exhibiting of signs denoting blindness or the carrying of receptacles for the reception of alms, or the doing of same by proxy, or by begging from house to house.

4. At least thirty days prior to action on any claim for relief hereunder the claimant shall file with the board having in charge the work of ameliorating the condition of blindness, a duly verified statement of facts sufficient to bring him or her within the provisions of this act. A list of claims and the evidence relating thereto shall be kept on file by such board, which record shall be a public record. No certificate for drawing money hereunder shall be granted until the board shall be satisfied from the evidence of at least two reputable residents of the county in which the applicant resides that they know the applicant to be in need of assistance under the provisions of this act, and that the applicant is possessed of residential qualifications which entitle him or her to the relief asked. Such evidence shall be in writing, subscribed to by such witnesses and hearings may be held on applications in the discretion of the board. If the board having charge of the work of ameliorating the condition of the blind, is satisfied that the applicant is entitled to relief, under the provisions of this act, an order shall be made to that effect, and upon the approval of the same by the Commissioner of Institutions and Agencies, shall be paid from the funds appropriated for the aforesaid purpose. The relief granted pursuant to this act shall be in place of any and all other relief of a public nature.

5. Any person receiving relief under this act shall be required, by the board of managers paying such relief, to make a return in service equal in value to the amount paid him or her; providing, in the judgment of the board of managers that the applicant be physically or otherwise able to do such work. These services shall be of such nature that they will be within the power of said recipients to render and shall be credited at a rate fixed by the board of managers. In the event of refusal to comply with this condition the board of managers shall discontinue all relief.

6. In the event of two blind persons married, each being dependent and coming under the provisions of this act at the time this act first became effective then such persons shall each be permitted to file their application, but no person marrying another who is blind after the passage of this act, shall be beneficiary under this act, but in case both have been receiving relief up to

the date of their marriage, only one approved by the board of managers may thereafter be continued as a person qualified for said relief.

7. No blind person shall be deemed a pauper by reason of receiving relief under this act.

8. In case of the removal of any recipient of the relief herein created, from one county to another in this State, the amount paid by each county shall be made proportionate to the length of residence in each county.

9. An annual examination of all those receiving the relief granted by this act shall be made by said board of managers and the amount paid each person shall be fixed according to the direction of said board in accordance with their findings in each case. If not satisfied that the person is qualified to draw the money, the board shall remove such person's name from the list and all payments in the case shall be discontinued.

The board shall, at its discretion, make examination of any and all recipients of said relief, and in case any person is found no longer needy or the disability has been removed, or there is any other reason why the relief shall not be continued in whole or in part, then said board shall reduce or discontinue the amount.

10. When, upon investigation, the board finds that any blind person who has been a resident of this State for five years, or who has lost his sight in this State, or who was a resident of this State at the time of the passage of this act, may be enabled to earn his living in part or in full, by a course of special instruction, the board may grant a scholarship fund not to exceed ten dollars per week for a period not to exceed forty weeks in each year, such fund may be used to defray the cost of board, tuition and traveling expenses. Any person who wilfully fails or refuses to avail themselves of such educational facilities may be denied the benefits of the relief provided for in this act by the written order of the board.

11. The board may appoint a trustee to take charge of the expenditures of the relief granted any applicant, when, in its opinion, such trustee is necessary. In such case the warrant shall be issued to the direct order of such trustee, or in his name upon certificate of the board. Such trustee shall serve without pay and shall be subject to the rules and regulations which said board shall prescribe.

12. If the board, upon examination, finds that the recipient or claimant, for relief may have such disability benefited or removed by proper surgical operation, or medical treatment, according to the evidence of a qualified ophthalmologist, and such person entitled to such relief file his consent in writing, then the board may expend for such surgical operation or medical treat-

ment all or any portion of the relief which the board may award any such person for one year under the provisions of this act. In such case the warrant shall be directly issued to the person performing such surgical operation or rendering such medical treatment upon the certificate of the board instead of being paid as the board may have directed to the person entitled thereto.

13. The relief granted by the State Board of Control of Institutions and Agencies for the support, care and maintenance of persons coming within the provisions of this act, shall be charged against the county in which such person has a legal settlement, and shall be paid by the board of chosen freeholders of such county; provided, however, if such person does not have a legal settlement in any county in this State, relief granted shall become a charge upon the State and shall be paid for from the funds provided for that purpose in any annual or special appropriation act.

The amount paid by any board of chosen freeholders for the support, care and maintenance of any person coming within the provisions of this act shall be chargeable by the board of chosen freeholders to the municipality in which the said blind person has a legal settlement and the respective governing bodies of the various municipalities in this State shall annually in their said budgets provide sufficient funds to carry into effect the provisions of this Act. The State Board of Control of Institutions and Agencies shall, within sixty days after this act takes effect, transmit to the board of chosen freeholders in each county an estimate of the amount necessary for carrying into effect in each said county the provisions of this act, and the board of chosen freeholders shall for the year one thousand nine hundred and twenty-two appropriate an amount sufficient to meet the estimated expenditures under this act.

Thereafter in December of each year the State Board of Control of Institutions and Agencies shall forward to each county an estimate of the amount of money necessary for carrying into effect in each county of this State the provisions of this act, and shall transmit such estimate to the board of chosen freeholders of each county, and the said board of chosen freeholders shall in the budget for the ensuing calendar or fiscal year appropriate a sufficient amount to meet the expenditures of the county under the provisions of this act. (*As amended 1922.*)

14. For the purpose of carrying into effect the provisions of this act there is hereby appropriated the sum of fifteen thousand dollars (\$15,000) which sum shall be available when included in any appropriation bill.

15. This act shall take effect immediately.

Passed 1921; amended 1922, 1923.

NEW YORK

The New York blind relief law was drawn by the New York Commission for the Blind and passed the legislature in 1922. It was slightly amended in 1923, so as to exclude from the operation of the law persons living in the counties embraced within the limits of the City of New York, and to provide for continuity of relief payments to blind persons moving from a county in the City of New York to another county. The City of New York was excluded at the demand of the blind people in that section of the state. New York city had had for many years a city blind relief (see p. 104) which had usually been dispensed with a liberal hand so far as the limits of the appropriations would permit. These city recipients were not confident that they would fare as well under the state law.

The New York state law provides a relief not to exceed \$300 annually to be paid by the counties to properly qualified blind or partially blind persons after an investigation of the applicant's condition has been made by the State Commission for the Blind. This is one of the most carefully thought out blind relief laws upon the statute books of this country. The framers of the law were thoroughly conversant with the experience of other states and took full advantage of the wisdom gained by such experience. So far as we have been able to ascertain the law has been well administered, investigations have been thorough and reports to the county officials have been frank, sympathetic and well-advised. In some instances it has been necessary for the Commission officials to use much diplomacy and persistence to induce counties to make adequate appropriations for blind relief purposes. Gradually, however, the counties and State Commission have developed working arrangements which seem to be serving to the fullest measure permissible under the law the needs of the blind without imposing unduly upon the generosity of the taxpayers. Much of the success of the administration of the New York law is due to the fact that it has not permitted its operation to become lax. Those directing the functioning of this law have realized that it is far easier to administer such an act wisely and economically from the beginning than it is to get back on to a sound basis after a period of prodigality in the making of awards.

In 1927, 269 persons were benefited under the law and the amount spent for blind relief was approximately \$75,000.

An interesting clause in this law is the exclusion from benefits under the law of blind couples marrying after the passage of the act. The purpose of this section, which is even more drastic than the Ohio and New Jersey laws upon the subject (see p. 115 and p. 95), is to discourage the intermarriage of blind persons who are not self-supporting.

This law is worthy of the attention of students of blind relief administration because it puts into concise form definitions of many of the indefinite terms found in laws of other states.

There is one clause, however, regarding the wisdom of which some question might be raised. We have reference to the last sentence in Section 6, which reads: "A person shall not be eligible for relief pursuant to this act who is in attendance at a college, university, technical or professional school and is receiving aid as a blind person pursuant to section nine hundred and seventy-six of the education law."

Section 976 of the education law provides a grant not to exceed \$300 a year to any blind student attending an institution of higher learning. This grant is to be used exclusively to defray the cost of a reader. We question the reasonableness of a law which excludes one from the benefits of a county poor relief because he is receiving funds from the state with which to hire a reader to place him on something like an equal footing with his sighted college classmates.

LAWS OF NEW YORK, 1922—CHAPTER 185

An Act in relation to providing relief for the needy blind. Became a law March 23, 1922, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- SECTION 1. Application for relief.
2. Partial blindness defined.
3. When person deemed without means of support.
4. When person deemed incapable of self-support.
5. Measure of relief.
6. Eligibility for relief.
7. Marriage as affecting relief.

8. Change of residence.
9. Contents of application.
10. Investigation by commission.
11. Report of findings and recommendations to supervisors.
12. Granting of allowances by board of supervisors.
13. Record by commission and boards of supervisors.
14. Penalty.
15. Application to city of New York.
16. Taking effect.

Section 1. Application for relief. Any person interested may at any time apply to the New York state commission for the blind, hereinafter referred to as the commission, in behalf of any wholly or partially blind person who is without means of support and is incapable of self-support, and ask for the relief under this act, provided the person for whom relief is sought is eligible under the provisions of section six hereof.

Section 2. Partial blindness defined. A person shall be deemed to be partially blind under this act when vision is so defective or so impaired that the person so afflicted must depend upon others, or be favored in open competition to such an extent as to limit his or her field of usefulness and lower his or her earning capacity below the point of self-support, unless taught or trained to earn a livelihood in some special occupation for the blind.

Section 3. When person deemed without means of support. A person shall be deemed to be without means of support when a charge upon the public, or when so lacking in resources that he or she, and his or her family, if a family is dependent upon the person in question, may reasonably be expected to become an immediate charge upon the public or upon some one not legally liable for his or her support, unless he or she receives relief to the extent demanded, or some part thereof.

Section 4. When person deemed incapable of self-support. A person shall be deemed incapable of self-support if and whenever the person in question shall be found to be incapable of earning an adequate livelihood and shall be incapable of being taught or trained to earn an adequate livelihood in any of the occupations for the blind that are open to the person in question, or in which it is possible for him or her to be placed through the efforts of the commission.

Section 5. Measure of relief. The measure of relief granted in each case shall be as follows:

(a) When the person for whom relief is sought is in receipt of an income of any kind, in any amount, or has property that

can be made to yield funds adequate to constitute a substantial contribution towards the support of the person in question, relief may be granted under this act for the difference between such income, or funds, as the case may be, and the amount deemed necessary for support of the person or family, if there is a family dependent upon the person for whom relief is asked, but in no case shall the relief granted exceed three hundred dollars per year per person;

(b) When the person for whom relief is demanded is without income, and without property from which any substantial contribution towards support can be derived, and it also appears that by granting relief in an amount not exceeding three hundred dollars per year such person will be enabled to provide himself, or herself, as the case may be, with the necessities of life, including bed and board in a family or private institution approved by the board of supervisors of the county in which resides the person in whose behalf the application is made, then in such cases relief shall be granted according to requirements, not to exceed three hundred dollars annually.

Section 6. Eligibility for relief. In order to be eligible for relief under this act, a person must (1) be a citizen of the United States, and must (2) be either (a) a resident of this state for five years, or (b) have lost his sight after having become a resident of this state, and (3) must in any event have been a resident of the county in which he or she lives for at least one year. A person shall not be eligible for relief pursuant to this act who is in attendance as a pupil at a college, university, technical or professional school, and is receiving aid as a blind person pursuant to section nine hundred and seventy-six of the education law.

Section 7. Marriage as affecting relief. Relief under this act shall be refused if and whenever a man or woman who is blind or partially blind within the definitions of this act, is married to another who is also blind or partially blind within the definitions of this act, unless such man or woman shall not have been blind or partially blind at the time of their marriage or unless they shall have been married prior to the passage of this act. If relief has already been granted it shall be discontinued if, and whenever, a man or woman who is blind or partially blind within the definitions of this act, is married to another who is also blind or partially blind within the definitions of this act.

Section 8. Change of residence. If any person changes his or her residence from one county to another in this state or from a county in the city of New York to another county while receiving relief under this act, then the county in which the person takes up his residence may continue the payments, at the same or different amounts, and, if continued, the payments shall, for one

year dating from the date of change of residence, be and constitute a charge against the county in which the person in question gave up a residence or the city of New York, as the case may be. The auditor or other fiscal officer of the county making the payments shall certify to the auditor or other proper fiscal officer of the county in which the person in question gave up his residence or the comptroller of the city of New York, as the case may be, the amounts of the payments, and the latter, upon receipt of the certificate, shall draw his warrant upon his county treasurer or, in case of the city of New York, the chamberlain of such city in favor of the other county for the amount named in the certificate. (*As amended 1923.*)

Section 9. Contents of application. Every application to the commission for relief under this act shall be accompanied by a petition, duly verified by the oath of the person presenting the application, showing

(a) That the person in whose behalf the application is made is wholly blind or is partially blind within the definition of the latter term found in section two of this act.

(b) Whether or not such person is in receipt of an income of any kind, and, if so, the amount thereof, also the amount deemed necessary for the support of such person and family, if there is a family dependent upon such person,

(c) Whether or not such person has property of any kind or description and if so, a description thereof, its reasonable value, where located and in whose possession and control, and

(d) The names and addresses of at least two disinterested witnesses who have resided for at least one year within the county where resides the person in whose behalf the application is made, and who can testify to the truth of the statements made in the petition.

Section 10. Investigation by commission. On receipt of an application for relief, accompanied by a petition meeting the requirements of section nine of this act, the commission shall promptly investigate and determine whether or not the person in whose behalf the application is made is capable of earning an adequate livelihood or can be taught or trained to earn an adequate livelihood, and shall obtain all necessary facts to enable the supervisors to determine the amount of relief, if any, to which such person is entitled.

Section 11. Report of finding and recommendations to supervisors. The commission shall promptly forward to the board of supervisors of the county where resides the person in whose behalf the application is made the application for relief, the petition accompanying the same, and the findings of the commission with respect to the earning capacity of such person, together with any

recommendations that the commission may be prepared to make, concerning the need, education or training of such person in any of the industrial occupations for the blind that are open to the person in question, and any other facts in the possession of the commission having a bearing upon the eligibility of the applicant for relief under this act.

Section 12. Granting of allowances by board of supervisors. The following provisions shall govern the granting of allowances pursuant to this act:

1. It shall be the duty of the board of supervisors of a county annually to appropriate such sum as, in their discretion and judgment, may be needed to carry out the provisions of this act, including expenses for administration of relief, and to include in the tax levy for such county the sum or sums appropriated for that purpose.

2. The board of supervisors of a county shall grant an allowance on such terms and conditions as they may deem advisable, to any person wholly blind or partially blind within the definitions of this act, who resides in their county, and is otherwise eligible, and who is found by the board to be without means of support and incapable of self-support, as these terms are defined in this act.

3. An allowance made by a board of supervisors shall not be made for a longer continuous period than one year without renewal, but the allowance may be continued from time to time at the same or different amounts for similar or less periods, either successively or intermittently, and may be revoked, when the board of supervisors are satisfied that the applicant is no longer eligible to such relief. A complete record in writing, however, shall be kept of the grounds upon which revocation is made, and such records shall be open to the public.

Section 13. Record by commission and boards of supervisors. A full and complete record shall be kept for the commission and by the board of supervisors of a county of each and every application received for relief under this act, and of the disposition made of same.

Section 14. Penalty. A person who shall knowingly or wilfully procure or attempt to procure, directly or indirectly, any allowance for relief under this act, for or on account of a person not entitled thereto, or who shall knowingly or wilfully pay or permit to be paid any allowance to a person not entitled thereto, shall be guilty of a misdemeanor.

Section 15. New York city excluded from operation of act. This act excepting the provisions of section eight shall not apply to any of the counties which are wholly embraced within the limits of the city of New York. (*As amended 1923.*)

Section 16. Taking effect. This act shall take effect immediately.

Passed 1922; amended 1923.

NEW YORK CITY

The first specific provision for blind relief in New York city was a resolution passed by the Board of Councilmen and Board of Aldermen in 1866. This resolution read as follows:

Whereas, The applications for donations from the city to blind persons are rapidly increasing in number, and if the practice of making such donations is to be continued, it is desirable to provide some more satisfactory method of ascertaining the merits of each case than that heretofore adopted, as well as to save the city the heavy expenses of advertising separate resolutions:

Resolved (if the Councilmen concur), That the Comptroller be requested to give notice to all persons intending to apply for such relief that application must be made at his office on or before the first day of May in each year; such application to be approved by the Aldermen and Councilmen of the Assembly District in which such person may reside; each application to state the name, age, and residence of the applicant, the period during which he or she has resided in the city, which must be not less than one year; whether the applicant is a graduate of the New York Institution for the Blind; his or her occupation, if any, and especially whether he or she has been or is a street beggar, and such other information as the Comptroller may deem it advisable to require; the truth of each statement to be verified by the oath of the applicant and by a certificate of one or more seeing persons. The Comptroller is authorized to prepare such blank forms for the use of persons desiring to make applications as he may deem advisable; and he shall, from time to time, or on the completion of a list of applicants, on the first of May, communicate such names to the Commissioner of Charities and Correction, and also to the Managers of the Blind Mechanics' Association, with a request that they will respectively furnish him with any information in their possession as to relief or employment furnished during the year ending on the first of May to any of the persons whose names are on such list; and the Comptroller shall report to the Common Council the list of persons, with all the information thus obtained.

Resolved, that until such report is received from the Comptroller no action whatever shall be taken by the Common Council upon applications or resolutions presented for such relief, nor shall any donations be granted to persons who shall not have first made application to the Comptroller as herein provided.

In the following year the same bodies passed a second resolution transferring to the Commissioners of Public Charities and Corrections "all matter embraced in" the above resolution.

In 1875 a state law was passed authorizing the Comptroller of New York city to pay to the city Department of Charities and Corrections for blind relief purposes, an amount not to exceed \$20,000 a year. The Department of Charities and Corrections was to distribute the funds "so appropriated each year in uniform sums not to exceed fifty dollars to any one person to such poor adult blind persons not inmates of any of the public or private institutions in said City of New York, as have resided in said city continuously for two years previous to the date of application for said relief." The amount actually appropriated under this act for the year 1875 was \$10,000.

With the adoption of the Greater New York Charter in 1897, the wording of this section was slightly changed, the maximum appropriation placed at \$75,000 per year, and the maximum amount granted to any individual was fixed at one hundred dollars. In order to be eligible for this grant the blind person must be "in need of relief and a citizen of the United States," besides being a resident of New York city for two years.

In 1913 the maximum appropriation was increased by amendment to \$150,000 a year, to be distributed "in uniform sums not to exceed one hundred dollars to each person." The requirements for eligibility remained the same. The amendment further provided that such distribution should be made in semi-annual payments within ten days after the first day of July and December, respectively.

In 1923, through the effort of Commissioner Bird S. Coler, of the Department of Public Welfare, another amendment was passed by the State legislature, increasing the maximum allowance to one person to three hundred dollars per annum, and permitting the Commissioner to fix the amount at his discretion within this maximum. By this means the Commissioner is enabled to make payments to approved applicants in amounts based on the needs of each case, instead of being obliged to distribute the fund in uniform sums. This change in the law has assisted materially in a more intelligent distribution of the fund.

By this amendment the maximum appropriation was increased to \$200,000 per year. The amount actually paid out in blind relief grants during 1927 was \$196,025 and the number of beneficiaries was more than 1,100.

THE GREATER NEW YORK CHARTER—SECTION 676

The commissioner is hereby authorized and empowered to insert in his annual estimate of expenditures an item of expenditure for the relief of the poor adult blind not to exceed in all two hundred thousand dollars. The commissioner shall distribute the sum so appropriated each year in sums not to exceed three hundred dollars to each person, to such poor adult blind persons, not inmates of any of the public or private institutions in the City of New York, who shall be in need of relief and who shall be citizens of the United States, and shall have been residents of said city continuously for two years previous to the date of application for such relief. Such distribution shall be made in semi-annual payments within ten days after the first day of July and December, respectively. (*As amended 1923.*)

OHIO

ORIGIN OF LAW

The Ohio blind relief law is interesting from a number of standpoints. Its conspicuous importance is due first to the fights which have been waged in that state over the constitutionality of such laws and second to the efforts which have been made to improve it through amendments. It can be said to be a remarkable example of a statute which has just escaped being a very satisfactory law. As it now stands it has many of the safeguards and much of the machinery which are lacking in other blind relief laws, but it is disastrously deficient upon the side of intelligent direction.

The Ohio blind relief law grew naturally out of the poor laws of the state. In 1898 an amendment to the poor laws empowered township trustees to pay to indigent blind persons a per capita allowance of not more than \$100 per year for the relief or maintenance of persons certified by the township trustees as "needy blind." This contained no definition of blindness or of need. In 1902 this provision was amended so as to extend a similar authority to infirmary directors of cities of the "second grade of the second class where there may reside a blind per-

son who has been a bona fide resident of such city for a period of three years and of this state for a period of five years, and who is in need of partial or permanent relief." In 1904 these laws were superseded by a law authorizing the probate court to grant an annual relief not to exceed \$100 per year to indigent blind persons. The entire law is here set forth, as it has an importance to any student of this subject due to the fact that it was later declared unconstitutional by the State Supreme Court.

Be it enacted by the Ohio General Assembly:

Section I. That it shall be the duty of every county to contribute such sum or sums of money from the poor or general expense fund toward the support of every worthy blind person free from vicious habits, as hereinafter provided.

Section II. That all male blind persons over the age of 21 years, and all female blind persons over the age of 18 years, who are declared blind in the manner hereinafter set forth, and have no property or means with which to support themselves, shall be entitled to, and receive, not more than twenty-five dollars per capita quarterly, and that the Probate judge shall authorize the auditor to issue warrants for the amount due such persons.

Section III. The said blind persons must be bona fide residents of the state of Ohio for five years, and in their respective county one year. Under no condition or circumstance shall the said beneficiary lose his or her benefits or residence by or through removal to any home or institution for the blind not maintained by the state or county.

Section IV. All persons claiming the benefits provided herein shall appear before the probate judge and make affidavit to the facts which bring him or her within the provisions of this act. Not less than two (reputable) respectable citizens of the county, one of whom shall be a (reputable) respectable physician selected by the court, and shall be required to give testimony that they have known the applicant to be a resident of the state of Ohio for five years continuously last past, and of the county one year preceding the filing of the application; and give oral testimony to satisfy the court that such person is blind, not from any vicious habit of his own, and unable to maintain himself, which facts the court shall be satisfied are true, and so find and enter on his journal.

Providing the right to any taxpayer of the county to, at any time, on giving bond to cover costs, a rehearing of such matter on motion and notice and if such finding is not set aside, right of appeal may be had as in other cases.

Section V. The probate judge shall register the name and address of each of the applicants who have been so determined to be entitled to the said benefits, and grant to each beneficiary a certificate, giving the name and address, and the amount due him or her quarterly. On and after the first of each quarter payment shall be made to said beneficiary upon presentation of such certificate, either personally or through the U. S. Mail. When coming through the U. S. mail the said certificate must be accompanied by affidavits that said beneficiary is living, and said disability has not been removed and stating address.

Section VI. It shall be the duty of the probate judge to certify to the county commissioners a list of all the persons registered under the provisions of this act; and it shall be the duty of the county commissioners of each county in the state of Ohio to provide in the annual appropriations for the payment of all claims of persons so entitled to said benefit, and who have complied with the provisions of this act; and the probate judge shall authorize the auditor to issue warrants on the county treasurer to be drawn, properly endorsed, payable to the persons who come within the provisions of this act each quarter in each year during the life of said beneficiary, or until the disability is removed.

Section VII. The said sections 1491a of the revised statutes as passed April 26, 1898, O. L. 93, page 271; and Section 1491b passed May 12, 1902, O. L. 95, page 564, be and the same are hereby repealed.

April 25, 1904.

CONSTITUTIONALITY

The constitutionality of this law was called into question in 1906 by the Auditor of Lucas County, who refused to allow payment under the act. A mandamus to compel payment brought the matter into the courts. As a result of the litigation the law finally came up before the State Supreme Court where it was declared unconstitutional principally upon the grounds that it was in contravention of the provision of the constitution prohibiting the appropriation of public funds for private purposes. After pointing out the purposes of the various state institutions the decision reads in part as follows:

But it does not follow that it would be either wise or constitutional to select out a class having some particular physical infirmity, and then confer a bounty upon the individuals of that class. If a bounty may be conferred upon individuals of one

class, then it may be conferred upon individuals of another class, and if upon two, then upon all. And, if upon those who have physical infirmities, then why not upon other classes who for various reasons may be unable to support themselves? And, if these things may be done, why may not all property be distributed by the state?

No provision is made in the Act to insure the application of money to the support of the individual, or to prevent him from becoming a public charge, or in any manner to control its use by him. The Act does not direct that the payments shall continue during the life-time of the beneficiary; nor does it limit the time, nor provide that payments shall cease with the needs of the donee, or provide for any subsequent inquiry. It is an indeterminate, gratuitous annuity, a gift pure and simple; and being so, the legislature is without authority to make it from the public funds.

It may be said that funds used for the care of the poor are used for a public purpose, and that moneys used under the provisions of this Act will subserve a public purpose for the reason that they will enable many blind persons, aided by their own efforts or those of their friends, to support themselves, and thus escape becoming a public charge. The wisdom of the legislation is not questioned. The power of the legislature to so enact is the question presented here.

If the power of the Legislature to confer an annuity upon any class of needy citizens is admitted upon the ground that its tendency will be to prevent them from becoming a public charge, then innumerable classes may clamor for similar bounties, and, if not upon equally meritorious grounds, still on a ground that is valid in the law, and it is doubted that any line could be drawn short of an equal distribution of property.

In 1908 a law was enacted which was intended to meet the objections to the former law raised by the State Supreme Court. This law provided an annuity not to exceed \$150 a year to be paid to indigent blind persons who without such relief would become a charge upon the public or upon those not required by law to support them. It is further provided that this annuity should be in place of all other relief of a public nature. This law is clearly a specialized form of poor relief.

In time this law also came into the courts upon a mandamus proceeding, to compel payment where a county auditor had again refused, upon constitutional grounds, to allow this expenditure. The lower courts declared the law unconstitutional, but when the

matter finally came before the State Supreme Court its constitutionality was upheld.

This decision which is of interest to every student of the constitutionality of blind relief laws is rather long. Dr. Best in his scholarly book *The Blind* has summarized a portion of this decision as follows:

*"It reviewed the decision in Auditor of Lucas County v. State, and the grounds for this decision. It considered it to be held in that case that, inasmuch as the removal of a beneficiary to a home or institution not maintained by the State was declared by the statute not to destroy the benefits conferred by it, such was not a law for the public relief of poor persons, but for a bounty to 'a certain selected class of persons.' It further pointed out that in the original Act no provision had been made for the application of the funds for the support of the individual, or to keep him from becoming a public charge, or to control the use of the money; that payments only for life were not directed, nor limitations imposed with respect to the time or the needs of the donee, nor provision made for subsequent inquiry; and that the relief was, in the words of the prior decision, 'an indeterminate, gratuitous annuity, a gift pure and simple, which could not be made from the public funds.

"The Court then takes up the Act of 1908, and reviewing its provisions, notes the points of difference from its predecessor. In this statute blind relief commissioners are provided for; and it is declared that the aid given by them 'shall be in place of all other relief of a public nature.' The commissioners have power to inquire into the qualifications of all applicants, and to increase or decrease the amount allowed, or to discontinue it altogether. The relief is limited to those who are or who will become charges upon the public. That the new law is evidently drawn so as to avoid the defects of the previous one, the Court is convinced. It finds that—

Every safeguard has been adopted to secure the application of the money to the support of the individual and prevent him from becoming a public charge. It is not an indeterminate annuity, unlimited in time or uncertain in its application. The express object, and the practical purpose, of the enactment is to furnish relief to the blind who are poor and needy.

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"It does not question that the 'relief of the poor is a public purpose,' granted to the legislature by the Constitution, together with the right to impose a tax for it, and that outdoor relief of the poor is a recognized duty on the part of the state. It discovers a special concern for the blind in the constitutional provision referring to the maintenance of an institution for them:

Since the Constitution has included the blind among those who shall be the objects of the solicitous consideration of the state, and since it has ever been the policy of the state to give assistance to the poor, infirm and disabled, legislation which defines and classifies poor or needy persons as beneficiaries of its provisions, and which does not make a capricious, arbitrary, or unreasonable provision [should be accepted by the courts]."

The state legislature was in session during the time that this entire matter was before the courts. Everyone interested in the blind feared that the State Supreme Court would uphold the decision of the inferior courts and declare the law unconstitutional. As regular meetings of the Ohio Legislature occur but once in two years it seemed wise not to await the final pronouncement of the Supreme Court, which would come after adjournment of the legislature, but to forestall trouble by enacting a law which would not conflict with the constitution as interpreted by the lower courts. Accordingly a bill was drafted known as the Deaton Bill, creating an "institution" for the blind whose function was the payment of relief to the needy blind. It was hoped that this would be regarded as constitutional, since the constitution required the state to conduct an institution for the blind among other institutions. This law was defective in many respects, but it passed the legislature without opposition. Fortunately it immediately got into the courts and its constitutionality was passed upon at the same time that that of the 1908 law was considered by the State Supreme Court. The court ruled that this new law was unconstitutional upon the grounds that the 1904 law was invalidated. It was held that terming the relief-giving machinery an institution did not add in any way to its constitutionality. The upshot of the whole matter was that the payment of blind relief was suspended for over a year during this litigation, and legally the relief situation stood in the same place that it was prior to 1913, with the exception of some slight

amendments to the 1908 law, made by the 1913 legislature in another bill. It was a great relief, however, to the blind people and their friends to have the constitutionality of the law sustained.

HISTORY AND ADMINISTRATION

The Ohio blind relief law, as passed in 1908, provided for a special levy for blind relief purposes. It authorized the appointment by the Probate Court of each county of a blind relief commission of three members, who served practically without pay, to administer the blind pension funds of the county. This blind relief commission was empowered to award to needy blind persons a relief not to exceed \$150 a year, to be paid in quarterly instalments. It further authorized the commission to re-investigate recipients of blind relief at any time and to increase or decrease the amount theretofore allowed or to remove them from the relief list altogether.

There has been much dissatisfaction with the administration of this law. Many counties have appropriated insufficient funds for carrying out the purpose of the act and there has been a great lack of uniformity throughout the state in the amount of the awards made. In order to place upon the boards of county commissioners (the real governing body of the county) more responsibility for seeing to it that sufficient funds are levied, the special blind relief commission appointed by the Probate Judge was abolished in 1913. The duty of administering the blind relief was assigned to the Board of County Commissioners. This has resulted generally in a more effective performance of this county function.

One hundred and fifty dollars was always considered an inadequate maximum relief. Many efforts were made to increase this, but all such efforts failed until the passage of the Evans Bill, in 1920, which raised the maximum to \$200 for a single person and \$300 for a married couple (husband and wife both blind). In 1927 this was further increased to \$400 for a single person and \$600 for a blind couple.

In 1913 the so-called Horwitz Bill inserted a provision authorizing the county commissioners to expend the entire amount

of the relief for one year to defray the cost of medical treatment or surgical operation upon the eyes of an applicant when there are good medical grounds for believing that such treatment is advisable. This power has seldom been invoked, however, as the best oculists can usually be induced to render such service gratuitously when it is apparent that the eye condition of such indigent patients can be thus improved.

Early in the history of the Ohio blind relief law, Hamilton County (in which the city of Cincinnati is located) engaged the part-time services of an eye specialist, Dr. Louis Stricker, to attend to much of the work of administering the blind relief of the county.

Dr. Stricker has attained nation-wide recognition for his work in this connection. Great care has been exercised in the examination into the eye condition of applicants, and a very remarkable record system has been worked out. As might be expected, Dr. Stricker has had to depend upon the charitable agencies of Cincinnati to make most of his social investigations in the city, while rural applicants have been investigated largely by correspondence. It must be said, however, that Dr. Stricker has given considerable time to visiting in the homes of applicants.

Efforts were made in other counties to induce the county commissioners to employ special workers to handle the investigations of applicants and to do general follow-up work in connection with this relief. These efforts, however, have resulted in little success outside of Cuyahoga County, in which Cleveland is located. In that county an agent is employed to handle all of the clerical and social work connected with the county blind relief. In some counties the work of such investigation is assigned to an employee of the county infirmary, in others it is left to a clerk in the office of the county commissioners, and in still others the county commissioners attend personally to such investigations as are made. But for the most part investigations are not carefully done and follow-up work is so rare that it is not uncommon to find the name of a blind person upon the relief list for months and even years after he has left the county or has died.

In an effort to clear up any question as to the authority of the county to defray the cost of proper investigation of the economic and medical status of applicants for blind relief, the law was amended in 1920, specially authorizing expenditure for such purpose. At the same time the law was amended, requiring an annual investigation of all persons upon the blind relief list.

Unlike the laws of other states, the Ohio law specifies that "in order to receive relief under these provisions a needy blind person must become blind while a resident of this state." This excludes from the benefit of the law any person who lost his sight before moving to Ohio, even though the removal to Ohio took place before the enactment of a blind relief law. While perhaps this is not of sufficient importance to warrant the passage of a special amendment upon the subject, any future legislation designed to improve the relief act should include among its provisions the inclusion in the benefits of the law of blind persons who moved into the state prior to 1908.

The Ohio blind relief law has all the machinery for an efficient state-wide administration except for the lack of a director with state-wide authority. In other words, Ohio has a group of small machines functioning each in its own territory, but lacking an engineer to give intelligent direction to the entire organization. What is needed is a state supervisor, charged with the responsibility of assisting the county authorities to work out a more satisfactory method of handling the Blind Relief Fund.

GENERAL CODE OF OHIO—1921

Section 2965. Needy Blind Defined. Any person of either sex, who, by reason of loss of eyesight, is unable to provide himself with the necessities of life, who has not sufficient means of his own to maintain himself, and who unless relieved as authorized by these provisions would become a charge upon the public or upon those not required by law to support him, shall be deemed a needy blind person.

Section 2966. Qualifications—Residence. In order to receive relief under these provisions a needy blind person must become blind while a resident of this state, and shall be a resident of the county for one year.

Section 2967. Application and Relief. At least ten days prior to action on any claim for relief hereunder, the person claiming shall file with the board of county commissioners a duly certi-

fied statement of the facts bringing him within these provisions. The list of claims shall be filed in a book kept for that purpose in the order of filing, which record shall be open to the public. No certificate for qualification of drawing money hereunder shall be granted until the board of county commissioners shall be satisfied by a certificate from a registered physician stating the extent to which the applicant's vision is impaired, and giving his opinion as to the possibility of correcting the impairment by proper procedure; and from the evidence of at least two reputable residents of the county, that they know the applicant to be blind and that he has the residential qualifications to entitle him to and that he is in need of the relief asked. Such evidence shall be in writing, subscribed to by such witnesses, and be subject to the right of cross-examination by the board of county commissioners or other person. If the board of county commissioners be satisfied that the applicant is entitled to relief hereunder, said board shall issue an order therefor in such sum as said board finds needed, not to exceed four hundred dollars per annum, to be paid quarterly from the funds herein provided on the warrant of the county auditor, and such relief shall be in place of all other relief of a public nature; provided, however, that where a husband and wife are both blind and both have made application for blind relief as herein provided, the total relief given by said county commissioners to such husband and wife shall not exceed six hundred dollars per annum, and such relief shall be in place of all other relief of a public nature, to which such husband and wife or either of them, might be entitled as a blind person. (*As amended 1927.*)

Section 2967-1. Surgical Operation on Evidence of Physician. If the board of county commissioners, in the examination of the qualifications of any person filing a claim for relief hereunder, or who may have been allowed relief by such board, shall determine upon the evidence of a registered physician and surgeon, that any person or persons making such claims or then on such list might have his disability benefited or removed by proper surgical operation or medical treatment, and such person entitled to such relief files his consent in writing thereto, then the board of county commissioners may expend for the purpose of such surgical operation or medical treatment, all or any portion of the relief which the board of county commissioners may award to such person for one year under the provisions of this act; and in such case the warrant of the county auditor shall be issued direct to the person entitled to pay for such surgical operation or medical treatment upon the certificate of the board of county commissioners, instead of being payable quarterly to the person entitled to such relief. (*As amended 1913.*)

Section 2968. Increase or Decrease Allowance. At least once a year, and oftener if it deems necessary, the board of county commissioners shall make examination as to the qualifications, disability and needs of any or all persons on the blind list, and said board may at any time increase or decrease the amount of such relief, within the limits fixed by law.

If not satisfied that any person on the blind list is qualified to draw his money, said board shall remove such person from the list, and shall forthwith notify the county auditor of such action. The board of county commissioners may in their discretion appoint such clerks as they deem necessary for the purpose of investigating the qualifications, disability and needs of any person who has heretofore been placed on the blind list, or who has made an application to be placed on such list. Said clerks shall be known as "Blind Relief Clerks" and shall serve for such length of time only as said county commissioners prescribe and may be discharged by said commissioners at any time. The county commissioners shall fix the compensation of such clerks, which compensation, after being fixed, shall be paid monthly from the general fund of the county on the warrant of the county auditor.

In addition to their compensation, said clerks shall be allowed monthly, their actual and necessary expenses incurred in the discharge of their official duties; but no such expenses shall be allowed or paid until an itemized statement of the same, duly verified, shall first have been filed by said clerks with said county commissioners. When so allowed said expenses shall also be paid from the general fund of the county, upon the warrant of the county auditor.

If, upon the examination of the application of a person for blind relief, said county commissioners desire medical evidence of the blindness of said applicant, additional to that furnished by the evidence of the physician subscribing to said application, said commissioners shall have the right to employ another registered physician, who if said applicant is willing, shall examine the eye condition of said applicant and make written report to said commissioners concerning the same. Said county commissioners shall have the right to pay said physician making such examination and furnishing such additional evidence as aforesaid, a fee not to exceed the sum of \$10.00, which, when allowed by said county commissioners, shall be paid out of the general county fund upon the warrant of the county auditor. (*As amended 1919.*)

Section 2969. Relief Fund. In addition to the taxes levied by law for other purposes, the county commissioners of each county shall levy a tax not to exceed three-tenths of one mill per dollar on the assessed value of the property of the county, to be

levied and collected as provided by law for the assessment and collection of taxes, for the purpose of creating a fund for the relief of the needy blind of their respective counties.

Section 2970. Penalty for False Statements. Whoever, to procure for himself or another, the benefit provided in this chapter for needy blind persons, makes a false statement, shall, upon conviction, be deemed guilty of perjury.

Passed 1908; amended 1913, 1919, 1927.

WISCONSIN

Shortly after the passage of the Illinois Blind Relief Law in 1903, blind persons in Wisconsin became interested in the subject. The leading spirit in this movement was the late Adam Zepp, of Milwaukee, and it was largely due to his efforts that the first law was finally passed. The plan at first was to secure a relief paid by the state. Legal advisors of the blind, however, held that the state could not constitutionally pay such relief, but that the State Legislature could authorize the counties to grant such aid, should the county board of supervisors see fit to do so. In 1907 the original law was passed. It authorized the payment of \$100 a year to each blind man over twenty-one years of age and blind woman over eighteen years of age, provided the income of the applicant was less than \$250, and further provided that he had been a bona fide resident of the state ten years and of the county three years next preceding the filing of his application for aid.

This law was in operation without amendment for ten years. In 1917, through the efforts of blind people and their friends throughout the state, it was modified to meet certain objections. The amendment authorized the county boards to grant \$150 to applicants having no income, and also to give additional aid if necessary. Those having an income of less than \$250 could still receive the \$100. The three-year period of residence in a county was reduced to one year and a provision made whereby the recipient of the aid could remove into another county without an interruption of his allowance.

In 1919 the law was still further amended, to grant to the applicant who had an income of more than \$50 and less than \$250, one hundred dollars if he were blind and \$200 if he were blind

and deaf; and if his income were less than \$50 he might receive \$200 if blind, and \$400 if blind and deaf, and such additional aid as the county board might see fit to grant.

In 1923 the law was amended to read as follows:

Any male person over the age of eighteen, and any female person over the age of eighteen years, who is declared to be blind or blind and deaf as hereinafter provided, shall receive from the county of which he or she is a resident an annual pension payable quarterly. Such pension shall be an amount which, when added to any amount received as an income from other sources shall not exceed four hundred and eighty dollars if blind, and seven hundred twenty dollars if both blind and deaf. In no event, however, shall any pension exceed three hundred sixty dollars if blind and four hundred eighty dollars if both blind and deaf.

In 1927, the total amount from all sources which the applicant is permitted to enjoy was increased to \$780.

All applications for aid under this law are acted upon by the county boards in regular session, which occurs in November of each year. In populous counties, however, like the one in which Milwaukee is located, adjourned meetings of the county boards are held every two weeks, so that in practice applications in these counties may be acted upon at any time during the year.

Applicants who are not satisfied with the action of the County Board are permitted, by an amendment passed in 1925, to appeal to the County Court. Failure of the County Board to act upon an application for a pension within one year is considered a refusal for appeal purposes.

The amendment of 1923 also provided that the state should annually reimburse the counties for one-third of their expenditure for blind relief, provided such expenditure was approved by the State Board of Control. At the same time, the Field Agency for the Adult Blind was required to supply to the county authorities any information in its possession which might aid in the administration of the pension law. Since the Field Agency for the Adult Blind operates under the State Board of Control which must approve the counties' blind relief expenditures, this clause provides machinery for effective supervision of the county boards' administration by that department which is in the best position to give wise and helpful guidance.

STATUTES OF WISCONSIN—CHAPTERS 47 AND 20

47.08. *Blind Pension, Eligibility, Examiner.* (1) Any male person over the age of eighteen, and any female person over the age of eighteen years, who is declared to be blind or blind and deaf as hereinafter provided, shall receive from the county of which he or she is a resident an annual pension payable quarterly. Such pension shall be an amount which, when added to any amount received as an income from other sources, shall not exceed seven hundred and eighty dollars. In no event, however, shall any pension exceed three hundred and sixty dollars if the person receiving the pension is blind, and four hundred and eighty dollars if both blind and deaf. (*As amended 1927.*)

(2) In order for any person to receive such pension he must:

- (a) Have been a resident of this state at the time he lost his sight, or have been a resident of this state for ten years or more, and of the county in which such application is made for at least one year immediately next preceding date of application before making application for such pension, and
- (b) His annual income, exclusive of any amount received under the provisions of this section, must be less than four hundred and eighty dollars if blind and seven hundred and twenty dollars if both blind and deaf, and
- (c) He must not be an inmate of any state, county or municipally owned charitable, reformatory or penal institution in this state, nor be in attendance at any state, county or municipally owned school for the blind or deaf, wherein instruction, room and board and other incidentals are furnished free of charge, except the summer school of the Wisconsin school for the blind, and
- (d) He must not be publicly soliciting alms, and
- (e) He must not have relatives who can be compelled to support him under the provisions of sections 49.11 to 49.13, both inclusive.

(*As amended 1923.*)

(3) Payments may be made by any county to any person within and for the first year after such person takes up residence therein and the same shall be and constitute a charge against the county wherein such person resided for at least one full year before removal to the county which pays such pension. The clerk of the county making such payments shall certify to the clerk of such other county the amount of the pension so paid quarterly, and the latter clerk shall upon receipt of such cer-

tificate draw his warrant upon the county treasurer of his county in favor of the county making such payment for the amount named in such certificate. (*As amended 1923.*)

(4) The county board shall appoint a regular practicing physician, whose official title shall be "Examiner of the Blind and Deaf," and whose duty it shall be to examine all applicants for pensions, and to indorse on the application a certificate showing whether such applicant is blind, or blind and deaf, as the case may be, and file the application so indorsed in the office of the county clerk. Such examiner shall keep a register in which he shall enter the name and address of each applicant so examined, and the date and result of such examination. Such examiner shall be paid by the county for his services the sum of two dollars for each applicant so examined. (*As amended 1923.*)

(5) Any person claiming a pension as provided in this section shall make an affidavit before the county clerk of the county in which he resides of the facts which he claims brings him within the provisions thereof, which affidavit shall be deemed an application for said pension and shall be presented to the county board. Such application shall be accompanied by an affidavit of two freeholders residing in the county where application is made, showing that they are personally acquainted with such applicant and know that he is a resident of the state for at least ten years, and of said county for at least one year immediately preceding such application, or that he lost his vision while he was a resident of this state and of the county in which application is made at least one year next immediately preceding date of application, as the case may be. If such applicant has resided in the county where he makes application for less than a year, the corroborating affidavits shall further show the county in which he resided before such removal and the length of time he resided in such former county. The county board may require such additional proofs as to the applicant being within the provisions of this section as it shall deem proper. Such application shall be filed, together with all corroborating affidavits, and other proofs with the examiner of the blind and deaf. The county clerk shall register the name and address of each applicant and the date of the examination, and on the first day of November of each year shall certify to the county board of the county the name and residence of each applicant who has been found blind by the examiner of the blind and deaf and the amount for such pensions. (*As amended 1923.*)

(6) Upon action by the county board showing that any applicant for a pension is blind or blind and deaf, as the case may be, and further showing that such applicant is entitled to receive a pension, the county clerk shall immediately draw his warrant upon the county treasurer in favor of such blind or blind and deaf per-

son for a pension in the amount allowed and approved by the county board. (*As amended 1923.*)

(7) Any person receiving a pension shall at any time submit to a re-examination as to his blindness and furnish such other information to the county board as it may require, whenever requested so to do by the county board. (*As amended 1923.*)

(8) The county board of every county shall annually levy a tax upon the taxable property therein, sufficient to pay the pension provided in this section. (*As amended 1923.*)

(9) On the first day of January, in each year, the county treasurer of each county shall certify under oath, in duplicate, to the secretary of state and to the state board of control, the amount paid out by each county under the provisions of this section, and if the board of control shall approve the same and shall cause its approval to be indorsed by the president and secretary of said board on the certificate received by the secretary of state, the secretary of state shall credit such county with one-third of the amount so certified on the state taxes next due therefrom, and the state treasurer shall credit such county with said one-third of such amount in his annual settlement with said county for taxes due the state. If the total amount due all counties shall exceed the sum appropriated by subsection (7a) of section 20.17, the same shall be prorated among the various counties. (*As amended 1923.*)

47.09. *Appeal from Denial of Blind Relief.* (1) Any interested person, aggrieved, may, within thirty days after any order or determination of the county board under section 47.08 appeal therefrom to the county court of the county in which such aggrieved person resides. On such appeal all issues shall be determined by the court.

(2) Notice of appeal and an undertaking to be approved by the county judge to pay the taxable costs of such appeal must be filed in the county court within thirty days after the entry of the order or determination appealed from.

(3) The papers and proofs filed with the examiner of the blind and deaf under the provisions of section 47.08 and all the other records in the proceedings before the county board shall be certified by the county clerk to the county court within ten days after the appeal is taken.

(4) The county court shall determine said appeal after and upon a hearing, notice of which shall be given to the county clerk and the appellant in such manner as the court shall determine.

(5) Upon the court filing with the county clerk its order or judgment on such appeal if it provides for payments of money, the clerk shall draw an order on the county treasurer in favor of

the appellant for the amount or amounts specified therein, and at the time or times therein provided.

(6) Failure of the county board to take any action on an application for a pension within one year after the filing thereof shall be considered a refusal for purposes of appeal.

47.10. (Repealed 1923.)

47.105. (Repealed 1923.)

47.11. (Repealed 1923.)

47.12. *Adult Blind, Field Agency.* (1) A field agency for the care of the adult blind shall be established by the state board of control in connection with the Wisconsin school for the blind

(2) The agency shall supply to the county authorities any information in its possession which may aid in any way the administration of the law providing pension or relief to blind persons. (*As amended 1923.*)

20.17. 7a. *Blind and Deaf Aid.* For state aid to the blind and to the blind and deaf, annually, beginning July 1, 1923, not to exceed fifty thousand dollars, according to the provisions of section 47.08 of the statutes.

Passed 1907; amended 1917, 1919, 1921, 1923, 1925, 1927.

PART III.—APPENDICES

**APPENDIX A—EXPENDITURES FOR BLIND RELIEF
NUMBER RECEIVING RELIEF AND TOTAL AMOUNT PAID OUT—BY STATES**

NAME OF STATE	FISCAL YEAR ENDING	NO. OF RELIEF RECIPIENTS	TOTAL EXPEND- ITURE FOR RELIEF	RELIEF PAID BY
California	(1)	450	\$70,347	County
Colorado	(2)	617	126,516	Half by county; half by state
Connecticut	June 30, 1927	130	15,045	State
Idaho	—	56	12,556	County
Illinois	June 30, 1927	3065 (3)	721,494 (3)	County
Iowa	June 30, 1927	840 (4)	153,597 (4)	County
Kansas	—	158	28,612	County
Kentucky	June 30, 1927	660 (5)	73,039 (5)	County
Louisiana	(6)	(6)	(6)	Parish
Maine	June 30, 1927	592	95,061	State
Massachusetts	Nov. 30, 1927	705	125,801	State
Minnesota	June 30, 1927	185	32,221	State
Missouri	(2)	3158 (7)	988,425	State
Nebraska	June 30, 1927	152	31,175	County
Nevada	—	8	2,160 (8)	County
New Hampshire	June 30, 1926	Not comparable	Not comparable	County
New Jersey	June 30, 1927	94	20,207	County
New York	Dec. 31, 1927	269 (9)	75,000 (9)	County
Ohio	Dec. 31, 1927	4312	499,666	County
Wisconsin	Dec. 31, 1926	Not available	250,380	Two-thirds by county; one- third by state
Total	—	— (10)	\$3,321,302 (11)	—

- (1) Figures are "for 1926."
- (2) Figures are "for 1927."
- (3) Figures are for 99 of the 102 counties.
- (4) Figures are for 93 of the 99 counties.
- (5) Figures are for 102 of the 120 counties.
- (6) Law enacted 1928. No relief paid as yet.
- (7) As of December 31, 1927.
- (8) Estimated.
- (9) In addition to this, the City of New York paid \$196,025 relief to more than 1100 beneficiaries during the calendar year 1927.
- (10) Data incomplete.
- (11) Excluding New Hampshire.

APPENDIX B--SAMPLE FORM

APPLICATION FOR RELIEF

Date..... 1929

1. Name in full (Surname first).....
 Address.....
 Street..... City..... County.....
2. Place of Birth..... Date of Birth..... Age..... Sex..... Color.....
3. How long in U. S.?..... In..... State?..... In County?.....
 (yrs.) (mos.) (yrs.) (mos.) (yrs.) (mos.)
4. Are you a citizen of U. S.?..... If foreign born, how, when and where naturalized?.....
5. Are you totally blind?..... If not, state degree of blindness.....
 Date of occurrence.....
6. Any other blindness in family?..... Give name and relationship of each person:

7. Are you married?..... Date?..... { Divorced?.....
 Widowed?..... Date?.....
8. Name of { Husband..... Address.....
 { Wife..... (Surname first)
9. Is { Husband working?..... Occupation?..... { Wages per week?.....
 { Wife..... { Other earnings?.....
10. Are you working?..... Occupation?..... { Wages per week?.....
 { Other earnings?.....
11. Are you attending a college, university, technical or professional school?.....
 Are you receiving the State reader's fee?.....
12. Children. (State if children are married or not).....

Name	Address	Age	At school or working?	Grade or wages

13. Is anyone living with you who is paying board?
 State below income per week from boarder or lodger:

Name	Relationship?	Income per week

14. Relatives of yourself or { Husband Name parents, brothers and sisters:
 { Wife

Name	Relationship	Address	Married	Occupation

Date investigated.....

By whom..... (Over)

APPENDIX B—SAMPLE FORM (REVERSE) 127

13. What rent do you pay?.....Amount of board or room rent per week?.....
16. Do you or { Husband own real estate?.....Where and how much?
Wife
17. Cost?.....Assessed valuation?.....Taxes paid last year?.....
Is property mortgaged?
How much?
18. Have any of your children property of any kind in their own names?.....
Where and how much?.....
19. Have any of your children any money in banks?.....Amount?.....
20. Have you cash on hand, bonds, stocks or other resources?.....
How much?.....
21. Have you any debts?.....How much?.....
22. Have your parents any property or other income?.....Where and how much?.....
23. Are you receiving any regular assistance from relatives or friends?.....
or from public sources?.....or private organisations?
Give details:

Name	Address	Extent and character of assistance

Any misstatement on this questionnaire will result in recommendation from the Commission for a forfeiture of relief.

This application must be signed by three responsible persons other than relatives, who have known you for at least two years.

Name	Address
1. _____	_____
2. _____	_____
3. _____	_____

This statement must be duly sworn to and witnessed before a Notary Public.

County of _____ } ss.:
 _____ being duly sworn, deposes and says that to the best of _____ knowledge and belief,
 all statements contained in this application are true.
 Sworn to before me this _____
 day of _____ 19____

Notary Public

Signature of applicant

NOTE: The original form is printed on two sides of a sheet 8½"x14".

APPENDIX C—SUMMARY TABLE OF BLIND RELIEF LAWS

This table summarizes the most important features of the various blind relief laws, as they stood July 15, 1928. The tabular form in which they are presented is designed for quick and convenient reference, especially when two or more laws are to be compared.

APPENDIX C—SUMMARY TABLE OF BLIND RELIEF LAWS

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APPENDIX C—SUMMARY TABLE OF BLIND RELIEF LAWS

Name of State	Definition of Blindness	Definition of a Needy Person	Residential Qualifications		Age	Other Qualifications	Disqualifying Conditions	Maximum Amount of Relief Payable	Application Made to	Investigation Made by	Blindness Certified by	Residence Certified by	Need Certified by	Award Made by	Payment		Source of Funds		Re-investigation		Constructive Use of Public Money Provided for	Law Mandatory or Discretionary	
			State	County											By	Frequency	Governmental Unit	General Fund or Special Levy	Optional or Required	Frequency			Made by
California	Inability by reason of loss of eyesight to provide oneself with the necessities of life.	One who has not sufficient means of his own to enable him to maintain himself.	Resident of state at the time this act takes effect, or becoming blind while a resident of state.	One year next preceding application.	Adult.	Citizen of state.	No relief other than vocational training if applicant: Is an inmate of any public or private charitable institution. Is less than 40 years of age except when the case is extreme. Has parent, brother, sister or spouse of sufficient ability to support him and who can be compelled or induced to support him. No relief at all if applicant: Is earning or has the opportunity of earning a livelihood. Is not a public charge or liable to become so.	\$150 a year.	County Board of Supervisors.	County Board.	Two reputable residents of county, one of whom shall be a licensed and practicing physician.	Two reputable residents of county, one of whom shall be a licensed and practicing physician.	County Board of Supervisors.	County Board.	County Auditor.	Monthly.	County.	Special levy.	Required.	Annually.	County Board of Supervisors.	Discretionary.	
Colorado			Five years next preceding application.	One year next preceding application.	Adult.	Citizen of state.	No relief other than vocational training if applicant: Is an inmate of any public or private charitable institution. Is less than 40 years of age except when the case is extreme. Has parent, brother, sister or spouse of sufficient ability to support him and who can be compelled or induced to support him. No relief at all if applicant: Is earning or has the opportunity of earning a livelihood. Is not a public charge or liable to become so.	\$300 a year.	County Clerk and Recorder.	County Board. (May be supplemented by Commission.)	A competent oculist.	County Board.	State Commission for the Blind.	County Board.	Quarterly.	One-half county, one-half state.	General fund.	Required.	Not specified.	State Commission for the Blind.	Medical or surgical treatment or vocational training.	Mandatory.	
Connecticut	(1)	(1)	(1)	(1)	(1)	(1)	(1)	\$300 a year.					State Board of Education for the Blind.										
Idaho	Inability by reason of loss of eyesight to provide oneself with the necessities of life.	One who unless relieved would become a charge upon the public or upon those not required by law to support him.	Becoming blind while a resident of state, or bona fide resident for seven years next preceding application. (2)	Three years next preceding application.	Male, 21 years or over. Female, 18 years or over.			\$240 a year.	Probate Judge.		Two reputable residents of county, one of whom shall be a registered physician, skilled in treatment of diseases of the eye.	Two reputable residents of county, one of whom shall be a registered physician, skilled in treatment of diseases of the eye.	Probate Judge.	County Auditor.	Monthly.	County.	Current expense funds.				Medical or surgical treatment.	Mandatory.	
Illinois	(3)	One having an income of less than \$400 per annum if single, or if married having, together with spouse, a total income of less than \$1000 per annum.	Ten consecutive years immediately before application.	Three years next preceding application.	Male, over 21 years. Female, over 18 years.	Citizen of U. S.	A charge of any charitable institution of state, county or city.	\$300 a year.	County Clerk.	The Examiner of the Blind, who shall be a regular practicing physician.	Two citizens, residents of the county.	One-half county, one-half state.	Charity or general funds of county; special levy for state.									Mandatory.	
Iowa	(3)	One having an income of not over \$300 per annum.	Five years immediately before application.	One year next preceding application.	Male, over 21 years. Female, over 18 years.		A charge of any charitable institution.	\$300 a year.	County Auditor.	The Examiner of the Blind, who shall be a regular practicing physician.	Two reputable citizens residents of the county.	One-half county, one-half state.	General fund or poor fund.									Discretionary.	
Kansas	Loss of both eyes.	One whose parents or near relatives are not financially capable of caring for him.	Two years previous to date of application.	Two years previous to application.	Over 21 years.			\$600 a year. (4)	Not specified.		Not specified.	Not specified.	Board of County Commissioners.	Board of County Commissioners.	Monthly.	County.						Discretionary.	
Kentucky	Absence of useful vision.	One who is unable to earn any sum in excess of \$400 per annum, and does not possess property to the value of \$2500, and does not have an income from any source in excess of \$400 per annum.	Not less than ten years next before application.	Not less than five years next before application.	Adult.		A professional beggar or an inmate of any state, county or charitable institution, or in receipt of a pension from the U. S. or any state or foreign government, or from any other source, which when added to his earnings will exceed the sum of \$400.	\$250 a year.	County Court Clerk.		County or city physician.	Two reputable citizens of the county.	Two reputable citizens of the county.	County Judge.	Not specified.	Quarterly.	County.	General fund.				Discretionary.	
Louisiana		One who is 60 years of age or more or mentally incapacitated or who has such physical handicaps other than blindness as to make him or her incapacitated for any kind of vocation.	At least five years.	(5)	Adult.		No relief other than vocational training if applicant has parent, child, brother, sister or spouse of sufficient ability to support him or her and who can be induced to support him or her, or if he has a personal income of an amount equal to the amount of relief asked for.	\$300 a year.	Not specified.	State Board for the Blind.		Parish Police Jury (on recommendation of the State Board for the Blind).	Parish Police Jury.	Quarterly.	Parish.	General fund.					Vocational training.	Mandatory (for parishes).	
Maine	Less than useful vision.	Unable to earn or obtain an income sufficient for his support.	Ten consecutive years immediately before application.	Over 21 years.			A charge of any charitable or penal institution of state, or of any county, city or town. (6)	\$300 a year.	City, town or plantation clerk.	Municipal officers.	The Examiner of the Blind, who shall be a regular practicing physician.	Two witnesses having knowledge of the facts.	Municipal Officers.	Governor and Council.	Quarterly.	State.	General fund.	Optional.	Not specified.	Municipal officers.			
Massachusetts								Not specified in law. Limited to \$30 per month by regulation of the Division.	(State) Division of the Blind.	Not specified (7).		Division of the Blind.	Division of the Blind.	Not specified.	State.	General fund.							
Minnesota	"Ocular power" which even with the help of eye-glasses is not sufficient for the ordinary affairs of life or in particular for the performance of tasks for which eyesight is essential.	Unable by any occupation or through lawful means of any kind to provide himself with the necessities of life. (8)	Becoming blind while legal resident of state prior to Jan. 1, 1920, and continuously thereafter, or legal resident for at least five years immediately before application.			Citizen of U. S.	Soliciting alms, or an inmate of a charitable institution supported without charge, or dependent upon public relief for five years preceding loss of sight.	(9)	State Board of Control (Division for the Blind).	Not specified.		State Board of Control (Division for the Blind).	State Board of Control (Division for the Blind).	Not specified.	State.	General fund.							
Missouri	Vision (with or without glasses) not greater than light perception. (10)	A person who does not have an income from any source of \$200 a year or more, or property to the value of \$5000, whose husband or wife does not have an income of \$200 a year or more from any source or property to the value of \$5000, and whose parent or parents (if resident in the state) are unable to provide for him. (See full text of law.)	Ten consecutive years next preceding application, or of property to the value of \$5000, whose husband or wife does not have an income of \$200 a year or more from any source or property to the value of \$5000, and whose parent or parents (if resident in the state) are unable to provide for him. (See full text of law.)	21 years or over.	Good moral character.		Maintained in public, private or endowed institution, or by private persons, or confined in jail or penitentiary under conviction of any offense, or Publicly soliciting alms, or Confined in any insane asylum at expense of the state or any county or municipality thereof.	\$500 a year. (11)	Judge of Probate Court or State Commissioner for the Blind.	Not specified.	A competent oculist.	Two disinterested and responsible householders of the county, who have known applicant for not less than two years.	Two disinterested and responsible householders of the county, who have known applicant for not less than two years.	Judge of Probate Court or State Commissioner for the Blind.	State Auditor.	Quarterly.	State.	Special levy.			Vocational training or medical or surgical treatment.		
Nebraska	Absence of useful vision such as to incapacitate one for the performance of labor.	Having an income of less than \$300 per annum and incapable of earning a support.	Five years, or Resident of state at time of application.	One year.	Male, 21 years. Female, 18 years.			\$300 a year.	Not specified.			County Board.	County Board.	County Board.	County Board.	Quarterly.	County.	General fund.				Discretionary.	
Nevada	Inability by reason of loss or impairment of eyesight to provide oneself with the necessities of life.	Unable to provide himself with the necessities of life.	Resident of state at time of application, or at time of loss of sight.	One year.				\$300 a year.	Clerk of Board of County Commissioners.		Two reputable citizens, residents of the county, one of whom shall be a duly licensed and practicing physician.	Two reputable citizens, residents of the county, one of whom shall be a duly licensed and practicing physician.	Board of County Commissioners.	County Auditor.	Quarterly.	County.	Special levy.	Required.	Annually.	Board of County Commissioners.		Discretionary.	
New Hampshire	Inability by reason of loss of eyesight to provide oneself with the necessities of life.	A person unable to provide himself with the necessities of life and without sufficient means of his own to maintain himself and who, unless relieved, would become a charge upon the public or upon those not required by law to support him.	Five years.	One year.				\$150 a year.	County Commissioners.	County Commissioners. (Optional.)	Two reputable residents of the county, one of whom shall be a registered physician.	Two reputable residents of the county, one of whom shall be a registered physician.	County Commissioners.	County Treasurer.	County Board.	Quarterly.	County.	General fund.	Required.	Annually.	County Commissioners.	Medical or surgical treatment.	Mandatory.
New Jersey		A person unable to earn sufficient money to provide for the necessities of life, and who, unless relieved, would become a charge upon the public or upon those not required by law to support him.	Five consecutive years next before application.	Over 21 years.			Suffering from mental or physical infirmity which, in itself, would make him a charge upon any other state institution or agency, and which has incapacitated him prior to loss of sight, that he was a public charge, or Publicly soliciting alms, or Marrying a blind person after passage of this act (except that if both have been receiving relief prior to marriage, one may be continued as qualified to receive relief).	\$300 a year.	State Commission for the Blind.	State Commission for the Blind.	Two reputable citizens residents of the county in which the applicant resides.	Two reputable citizens residents of the county in which the applicant resides.	Court of Common Pleas.	State Commission for the Blind.	Quarterly.	County.	General fund.	Required.	Annually.	Board of Managers.	Medical or surgical treatment or vocational training.	Mandatory.	
New York (State)	Vision so defective or so impaired that the person so afflicted must depend upon others, or be favored in open competition to such an extent as to limit his or her field of usefulness and lower his or her earning capacity below the point of self-support, unless taught or trained to earn a livelihood in some special occupation for the blind.	A person without means of support and incapable of self-support. (12)	Resident of state for five years, or at time of loss of sight.	One year.		Citizen of U. S.	Married to a blind or partially blind person, unless such person became blind before marriage, or unless married before passage of act.	\$300 a year.	State Commission for the Blind.	State Commission for the Blind.	Two disinterested witnesses who have resided in the county for at least one year.	Two disinterested witnesses who have resided in the county for at least one year.	County Board of Supervisors (on recommendation of the Commission.)	County Board of Supervisors.	County.	General fund.						Mandatory.	
New York (City)			Two continuous years in city next before date of application.	Adult.		Citizen of U. S.	Inmate of public or private institution.	\$300 a year.	Not specified.			Commissioner of Public Welfare.	Commissioner of Public Welfare.	Commissioner of Public Welfare.	Commissioner of Public Welfare.	Semi-annually.	City.	General fund.					
Ohio	Inability by reason of loss of eyesight to provide oneself with the necessities of life.	A person unable to provide himself with the necessities of life, who has not sufficient means of his own to maintain himself, and who, unless relieved, would become a charge upon the public or upon those not required by law to support him.	Resident of state at time of loss of sight.	One year.				\$400 a year to single persons, \$500 a year to married couples (both blind).	Board of County Commissioners.	Board of County Commissioners.	A registered physician and two reputable citizens of the county.	Two reputable citizens of the county.	Board of County Commissioners.	County Auditor.	Quarterly.	County.	General fund.	Required.	Annually or oftener.	Board of County Commissioners.	Medical or surgical treatment.	Mandatory.	
Wisconsin		A person who has an annual income of less than \$400 if blind, or \$720 if blind and deaf.	Resident of state for ten years next preceding application, or at time of loss of sight.	One year next preceding application.	Over 18 years.	Without relatives who can be compelled to support him under state law.	Inmate of any state, county or municipal institution in the state, or in attendance at any state, county or municipally owned school for the blind or deaf (except the State Summer School for the Blind), or Publicly soliciting alms.	\$500 to blind person or \$400 to blind and deaf person. (13)	County Clerk.	The Examiner of the Blind and Deaf, who shall be a regular practicing physician.	Two freeholders residing in the county.		County Board.	County Clerk.	Quarterly.	Two-thirds from county; one-third from state.	General fund.	Optional.	At any time.	County Board.		Mandatory.	

(1) Award made at discretion of State Board of Education for the Blind.
(2) When blindness ensues after less than the specified period of residence, the other must ascertain that removal to state was not primarily for the purpose of securing relief.
(3) Blindness determined by Examiner of Blind.
(4) Pension in excess of \$25 a month to be submitted to vote of electors of county.

(5) At least one year in the parish.
(6) Does not exclude "persons receiving pauper supplies or persons who may wish to leave any charitable institution in order to avoid themselves of the provisions of this chapter."
(7) In practice, investigations are made by special field agents of the Division.
(8) Does not remove liability of relatives to support poor persons.

(9) Where two blind persons marry after the passage of this act, the maximum paid for their joint care and relief shall not exceed \$300 a month.
(10) "Light perception" as used in this section is defined as "not more vision than is sufficient only to distinguish light from darkness and colors." (See full text of law.)
(11) Minimum \$200 a year.
(12) "Without means of support" is defined to mean "when a charge upon the public, or when so lacking a resources that he and his family may be expected to become a charge upon the public or upon someone else legally liable for his support, unless he receives relief."
(13) "Inmate of any state, county or municipal institution in the state, or in attendance at any state, county or municipally owned school for the blind or deaf (except the State Summer School for the Blind), or Publicly soliciting alms."

(13) Pension shall be an amount which, when added to any amount received as income from other sources, shall not exceed \$750.

